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15 IN THE UNITED STATES DISTRICT COURT
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA
17 OAKLAND DIVISION

18 ZACHERY WILLIAMS individually, and on
19 behalf of all others similarly situated,

20 Plaintiff,

21 v.

22 TESLA, INC. and Does 1 through 10,
23 inclusive,

24 Defendants.

25 Case No.

26 **CLASS ACTION COMPLAINT**

- 27 1. Violations of the Magnuson-Moss Warranty
28 Act, 15 U.S.C. § 2301, *et seq.*
2. Violation of the California Consumer Legal
3. Remedies Act, (Cal. Civ. Code § 1750, *et
seq.*)
4. Violation of California Unfair Competition
5. Law (Cal. Bus. & Prof. Code § 17200, *et
seq.*)
6. Violation of California False Advertising
7. Law (Cal. Bus. & Prof. Code § 17500, *et
seq.*)
8. Breach of Express Warranty (Cal. Com.
9. Code § 2313)
10. Breach of the Implied Warranty of
11. Merchantability (Cal. Com. Code § 2314)
12. Breach of Common Law Warranty/Contract
13. (Under California Law)
14. Fraudulent Concealment (Under California
15. Law)

16 **DEMAND FOR JURY TRIAL**

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CLASS ACTION COMPLAINT

Plaintiff ZACHERY WILLIAMS, an individual (“Plaintiff Williams”), on behalf of himself, a class of other similarly situated individuals, and the general public complains of and alleges the following causes of action against Defendant TESLA, INC. (“Tesla”) a Delaware Corporation; and DOES 1 through 50, inclusive, as follows:

I INTRODUCTION

1. This Complaint seeks damages against Tesla for breach of warranty and for unfair and deceptive acts and practices pertaining to its design and manufacture of all Tesla Model S and Model X with a production date between September 17, 2013, and October 15, 2018 (the “Class Vehicles”).

2. The Class Vehicles suffer from one or more latent defects in their suspension system that cause the front and rear suspension control arm assembly components to prematurely loosen, wear, crack, and/or break (“the Suspension Defect”).

3. As demonstrated herein, the Suspension Defect unreasonably increases the risk of crash and threatens the health and safety of the drivers and passengers of the Class Vehicles. Moreover, the Suspension Defect directly affects Plaintiff's use, enjoyment, safety, and value of the Class Vehicles. Numerous owners and lessees of the Class Vehicles have experienced the Suspension Defect already, and Tesla is gambling with the lives and safety of hundreds of thousands of additional drivers and passengers whose vehicles suspension parts at an imminent risk of failure.

4. For years, Tesla actively concealed the information regarding Suspension Defect from its customers and regulators, withholding its knowledge because once known, the Suspension Defect would diminish the Class Vehicles' intrinsic and resale value and cause owners to demand immediate and costly repairs.

5. On information and belief, Tesla has not only failed to disclose the existence of the Suspension Defect to Plaintiff and the Class, it has taken active measures to conceal its knowledge by misrepresenting the reasons that the affected suspension parts fail.

6. As a direct and proximate result of Tesla's unlawful and fraudulent concealment of the Suspension Defect, Plaintiff and the Class members have suffered significant economic harm. Moreover, because Tesla has refused to acknowledge and disclose the Suspension Defect to its

customers, many Class Vehicle owners are at a continued unreasonable risk of suffering serious bodily injury or death.

7. For the forgoing reasons, Plaintiff, on behalf of the putative Class, brings this class action against Tesla for monetary damages and equitable relief.

II JURISDICTION AND VENUE

8. This Court has subject matter jurisdiction pursuant to the Class Action Fairness Act, 28 U.S.C. § 1332(d). The aggregated claims of the individual class members exceed the sum or value of \$5,000,000, exclusive of interest and costs; there are more than 100 putative class members defined below; and there are numerous members of the proposed class who are citizens of a state different from Tesla.

9. This Court has personal jurisdiction over Defendant Tesla because its corporate headquarters and primary manufacturing facility are located in California, it conducts substantial business in this District, and because a substantial part of the acts and omissions complained of occurred in this District.

10. Venue is proper in the Northern District of California pursuant to 28 U.S.C. § 1391 (a) and (b) because a substantial part of the events, acts and omissions giving rise to these claims occurred in the Northern District of California.

III INTRADISTRICT ASSIGNMENT

11. Pursuant to Local Rule 3-5(b) and (d), assignment to the Oakland Division is proper, because a substantial part of the events or omissions giving rise to the claims occurred in this division.

IV PARTIES

12. Plaintiff Zachery Williams is a resident of Alameda, California. On or about August 20, 2019, Plaintiff Williams purchased a pre-owned 2016 Model S directly from Tesla online. On August 31, 2019, Plaintiff completed his purchase of the vehicle and took delivery of it. At the time Plaintiff took delivery of the vehicle, it had 54,492 miles on the odometer and was covered by Tesla's 2 year/100,000 mile Used Vehicle Limited Warranty.

13. Defendant Tesla, Inc., is a Delaware corporation with its headquarters located at 3500 Deer Creek Road, Palo Alto, California, 94304.

V GENERAL ALLEGATIONS

A. The Class Vehicles Suffer from a Dangerous Defect that Poses Danger to the Public

14. The Class Vehicles suffer from a dangerous Suspension Defect that can manifest without warning and cause the sudden and unexpected loss of steering control. When the Suspension Defect manifests, the rear or front control arms can separate from the steering knuckle and cause excessive negative camber¹ in the suspension. In less technical terms: The Suspension Defect causes the parts that connect the wheels to the Class Vehicles to detach, causing the affected wheel to fold inwards. In severe cases, putative Class members have reported that manifestation of the Suspension Defect caused the affected wheel of their vehicles to completely detach.

15. On information and belief, the components making up the front and rear suspension control arm assemblies in the Tesla Model S and Model X are identical. Therefore, the Suspension Defect equally affects all of the Class Vehicles.

16. On further information and belief, the control arm assembly parts subject to failure include the front upper and lower control arms, front suspension aft-link, front suspension fore link, rear suspension upper link assembly, and rear suspension lower control arm assembly (illustrated below).

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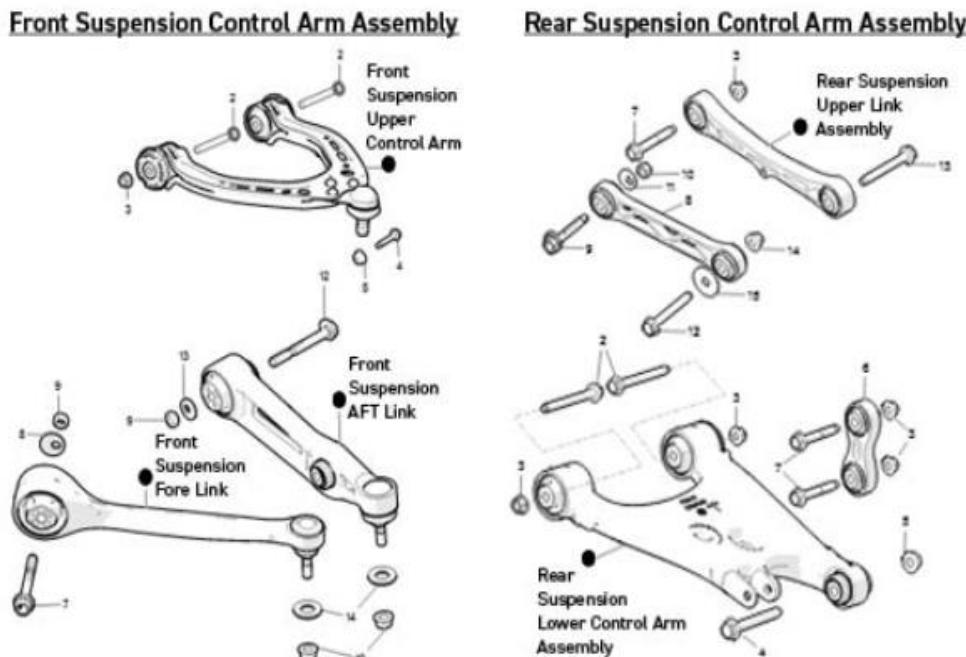
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¹ “Camber” is the angle of the vehicle’s wheel, measured in degrees, when viewed from the front of the vehicle. If the top of the wheel is leaning out from the center of the car, the camber is positive; if it leans in, the camber is negative.



Model S and Model X Suspension Components as of 11/18/2020

Part	Part Number(s)
Front Suspension Upper Control Arm	1043965-00-B (left) (Dual Motor) 1043966-00-B (right) (Dual Motor) 6006532-00-B (left) (RWD) 6008930-00-B (right) (RWD)
Front Suspension AFT Link	1027351-00-C
Front Suspension Fore Link	1041570-00-B (left) (Dual Motor) 1041575-00-B (right) (Dual Motor) 6007998-00-C (left) (RWD) 6006664-00-C (right) (RWD)
Rear Suspension Upper Link Assembly	1027421-00-E
Rear Suspension Lower Control Arm Assembly	1021416-00-D

17. On October 22, 2020, the China State Administration for Market Regulation (“SAMR”) announced that due to the Suspension Defect, Tesla would recall approximately 40,000 Class Vehicles exported to China and produced at Tesla’s plant in Fremont, California, between September 13, 2013 and October 15, 2018.

1 **1. China's Safety Recall of the Class Vehicles Indicates the Danger Posed by the**
 2 **Suspension Defect**

3 18. In a press release, SAMR detailed its findings from the agency's investigation of the
 4 Suspension Defect, stating inter alia:

5 When some of vehicles within the scope of the recall are subjected to a
 6 large external impact, the ball studs of the rear connecting rod of the front
 7 suspension will have initial cracks. The cracks may extend and cause the
 8 ball studs to break when the vehicle continues to be used. In extreme
 cases, the ball-end cone seat may come out of the steering knuckle,
 affecting the control of the vehicle, increasing the risk of accidents, and
 posing safety risks.

9 ...

10 When some vehicles within the scope of this recall are subjected to a large
 11 external impact, the upper connecting rod of the rear suspension may be
 12 deformed. When the vehicle is continued to be used, the component will
 13 be further weakened. In extreme cases, it may break and affect the control
 14 of the vehicle. Increase the risk of accidents, and there are hidden safety
 15 hazards.

16 (Ex. 1, China SAMR Statement on Tesla Suspension Recall.)

17 19. In the United States, Tesla took a different stance, blaming the suspension problems cited
 18 in SAMR's press release on "driver abuse." Writing to NHTSA, Tesla's corporate counsel contended
 19 that "driver usage and expectation for damageability is uniquely severe in the China market. If the
 20 customer inputs an abuse load (e.g., curb impact, severe pothole strike, etc.), then the parts may be
 21 damaged, leading either to immediate failure or delayed failure from the compounding effects of the
 22 initial abuse and subsequent load input."

23 20. Tesla's willingness to blame drivers for the Suspension Defect is not surprising, however,
 24 given that, based on information and belief, Tesla has been instructing its service center technicians to
 25 conclude that snapped suspension arms are indicative of driver abuse, not a defect.

26 **2. Tesla False and Misleading Statements Regarding the Suspension Defect and the**
 27 **Safety of the Class Vehicles Poses a Danger to the Public**

28 21. But as one writer put it—the Suspension Defect is not Tesla's crime; it is the coverup.
 And Tesla did not stop at blaming drivers in private for the failed suspension components on their
 Class; it has gone on the offensive. Tesla and its executives have made numerous misleading online

1 statements to the general public in an attempt to convince them that the Class Vehicles are safe and are
 2 not plagued by the Suspension Defect.

3 22. In a June 9, 2016 blog post published to its website,” Tesla argued that a particular
 4 customer’s complaint of suspension failure—one that received widespread media attention—was
 5 “highly unusual” and that the failure had resulted from “abnormal rust.” (Ex. 2, Tesla Blog Post, dated
 6 June 9, 2016.) But meanwhile, Tesla had also already acknowledged in a 2015 Technical Service
 7 Bulletin (*discussed infra*) that the front and lower rear control arm assemblies on certain 2013 and model
 8 2014 Model S vehicles might crack and instructed its service centers to replace the failed components
 9 with “updated parts.” Tesla motivations for taking conflicting positions on the Suspension Defect
 10 becomes apparent after considering the mediums of communication used to communicate its messages.
 11 With the 2016 public blog post, Tesla was surely attempting to fight a public relations battle to keep
 12 consumers and the public in the dark about the Suspension Defect, but through its 2015 Technical
 13 Service Bulletin, it was attempting to appease customers that had complained of the Suspension Defect
 14 to service center advisers.

15 23. Tesla misleading statements and denial of the Suspension Defect poses a great danger to
 16 the public, especially because of its public fandom. Tesla’s vehicles have been so groundbreaking that
 17 many consumers consider Tesla as a technology company rather than a car company. And there is no
 18 denying that this has gained the company a cultlike public following. Needless to say, when Tesla and
 19 its executives have something to say, they have a large microphone to communicate their message
 20 directly to the public. As example, Elon Musk, the company’s CEO has drawn 41 million followers to
 21 his personal Twitter page. By comparison, Jim Fairly, the CEO of Ford Motor Company—the sixth
 22 largest auto manufacturer in the world by sales volume—currently has 5,559 followers on Twitter.

23 24. But despite Tesla and its executive’s stardom, the reality is that Tesla is a car
 24 company. It puts thousands of Class Vehicles on the road, all of which are regulated by safety standards
 25 and laws that require Tesla to inform the public—not only its current customers—of safety defects in
 26 those vehicles. Tesla’s misleading public statements and denial of the Suspension Defect directly
 27 undermines its duties to public and must be remedied.

1 **B. Tesla's Knowledge of the Suspension Defect**

2 25. At the time Plaintiff and the Class members purchased their Class Vehicles, Tesla had
 3 significant and longstanding knowledge of the Suspension Defect through records of customer
 4 complaints dealer repair records, records from NHSTA, warranty and post-warranty claims, internal pre-
 5 sale durability testing, and other various sources. Indeed, unlike traditional car manufactures, Tesla sells
 6 its vehicles directly to consumers rather than through a network of third-party authorized dealers. Thus,
 7 more than any other automotive manufacturer, Tesla can, and does, vigorously monitor and control data
 8 reflecting the replacement rate of parts on its vehicles, customer complaints, and warranty and post-
 9 warranty claims. In the past, Tesla has bragged about its level of exclusive knowledge over said
 10 information, in a 2016 blog post stating:

11 Since we own all of our service centers, and we are aware of every
 12 incident that happens with our customer cars and we are aware of every
 13 part that gets replaced. Whenever there is even a potential issue with one
 14 of those parts, we fully investigate.

15 (Ex. 3, Tesla Letter to NHTSA Re: China Recall.)

16 26. While some of these sources of information are internal records within Tesla's exclusive
 17 control, a reasonable inference can be drawn from publicly available facts that Tesla knew of the
 18 Suspension Defect.²

19 27. One of the most important sources of field data regarding this issue is the National
 20 Highway Traffic Safety Administration's Consumer Complaint Database. This publicly available
 21 database contains all motor vehicle-related consumer complaints submitted to NHTSA since January
 22 2000. Consumers submit what is called a "Vehicle Owner Questionnaire," in which they are asked to
 23 provide information including the make, model, and model year of the vehicle, the approximate incident
 24 date, the mileage at which the incident occurred, whether the incident involved a crash or a fire, whether

25 28 ² Tesla, unlike traditional car manufactures sells its vehicles directly to consumers rather through a
 26 network of third-party authorized dealers. Thus, more than any other auto manufacturer, Tesla is able to
 27 vigorously monitor and control the data reflecting the rate of replacement of parts of its vehicles,
 28 customer complaints, and warranty claims. Tesla has in fact bragged about its level and knowledge over
 such information, stating in a 2016 blog post: "[s]ince we own all of our service centers, and we are
 aware of every part that gets replaced." (See Ex. 2.)

any persons were injured or killed in the incident, the speed of the vehicle at the time of the incident, and a description of the incident along with a description of the vehicle components the complainant believes were involved in the incident. The majority of consumer complaints are submitted online at www.safercar.gov, where consumers can input this information directly into the database through their computer. They can also submit complaints by telephone through the Auto Safety Hotline, through submitting a paper Vehicle Owner Questionnaire form, and by submitting consumer letters to NHTSA by mail. This information is then entered into NHTSA's ARTEMIS database where it can be searched and reviewed by the general public and vehicle manufacturers alike, by make, model, model year, and component. NHTSA promotes this database as a valuable consumer information tool.

28. Class Vehicle owners and lessees have made numerous complaints to NHTSA reporting having experienced the manifestation of the Suspension Defect while driving their vehicles.

29. From June 21, 2016 to the present, NHTSA has received 77 complaints relating to the Suspension Defect in its Model S and Model X vehicles (59 complaints relating to the Model S and 18 complaints relating to the Model X).

30. The following are the consumer complaints submitted to NHTSA relating to claims of Suspension Defect the Class Vehicles:³

August 27, 2020 NHTSA ID NUMBER: 11351645

Components: SUSPENSION

NHTSA ID Number: 11351645

Incident Date November 24, 2019

Consumer Location MORGAN HILL, CA

Vehicle Identification Number 5YJXCDE27GF****

Summary of Complaint

CRASHNo

FIRENo

³ The following complaints are reproduced as they appear on the NHTSA website. Any typographical errors are attributable to the original author of the complaint.

1 **INJURIES0**

2 **DEATHS0**

3 THE CAR FRONT SUSPENSION RATTLE A LOT WHEN ACCELERATING. THIS WAS
4 BROUGHT TO TESLA'S ATTENTION BUT AT THE TIME, THEY DID NOT HAVE A
PERMANENT FIX FOR IT. THIS WAS DATED BACK BEFORE THE VEHICLE LOST
WARRANTY.

5 **1 Affected Product**

6 **Vehicle**

7 MAKE	8 MODEL	9 YEAR
10 TESLA	11 MODEL X	12 2016

13 [August 7, 2020 NHTSA ID NUMBER: 11343953](#)

14 [Components: SUSPENSION](#)

15 **NHTSA ID Number:** 11343953

16 **Incident Date** August 4, 2020

17 **Consumer Location** AUBURN, AL

18 **Vehicle Identification Number** 5YJXCBE21GF****

19 **Summary of Complaint**

20 **CRASHNo**

21 **FIRENo**

22 **INJURIES0**

23 **DEATHS0**

24 CLUNK SOUND FROM FRONT WHEELS AT LOW SPEEDS. . TESLA. SAYS IT IS THE UPPER
SUSPENSION ARMS - ABSURD FOR A CAR WITH 25K ON IT AND NOT OFF-ROAD

25 ALSO TESLA BLAINS THE PARTS FOR THE RECALL ARE NOT AVAILABLE WITH NO
ESTIMATION OF THE REPAIR TO BE DONE FOR THE OPEN RECALL

26 **1 Affected Product**

27 **Vehicle**

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL X	6 2016

7
July 24, 2020 NHTSA ID NUMBER: 11341375

8
Components: SUSPENSION

9
NHTSA ID Number: 11341375

10
Incident Date October 1, 2019

11
Consumer Location MORGAN HILL, CA

12
Vehicle Identification Number 5YJXCDE27GF****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
THERE IS MAJOR RATTLING THAT HAPPENS IN THE FRONT SUSPENSION AND WHEN
19
NOTIFIED THIS TO TESLA, THEY MENTIONED THAT THEY DO NOT HAVE A PERMANENT
20
FIX FOR IT YET. THEY HAVE REPLACED THE UPPER CONTROL ARM IN THE PAST BUT
21
THE PROBLEM SEEMS TO COME BACK.

22
1 Affected Product

23
Vehicle

24 MAKE	25 MODEL	26 YEAR
27 TESLA	28 MODEL X	29 2016

30
July 10, 2020 NHTSA ID NUMBER: 11338564

Components: SUSPENSION

NHTSA ID Number: 11338564

Incident Date June 4, 2020

Consumer Location CHALFON, PA

Vehicle Identification Number 5YJXCBE28GF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES 0

DEATHS 9

UPPER CONTROL ARM BECOMES ISSUE PREMATURELY. THE ISSUE NEEDS TO BE LOOKED AT. I HAD TO REPLACE BOTH OF MY UPPER CONTROL ARM SO FAR. TALKING TO MECHANIC, IT WAS THE DESIGN AND MATERIAL CHOICE FOR THIS PART THAT SEEMS TO BE AN ISSUE. THE CONTROL ARM CAN BREAK DURING HIGHWAY SPEED POTHOLE.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL X	2016

July 1, 2020 NHTSA ID NUMBER: 11337081

Components: STRUCTURE, SUSPENSION, UNKNOWN OR OTHER

NHTSA ID Number: 11337081

Incident Date June 29, 2020

Consumer Location FLUSHING, NY

Vehicle Identification Number 5YJXCBE41GF****

Summary of Complaint

1 **CRASHNo**

2 **FIRENo**

3 **INJURIES0**

4 **DEATHS0**

5 MY CAR HAD A BOLT BRAKE FROM ITS THREAD. THEY TOLD ME IT WAS A CRITICAL
6 BOLT THAT WAS MARKED WITH PAINT. THIS BOLT IS TO KEEP THE SUBFRAME
7 ATTACHED SECURELY TO THE FRAME.

8 **1 Affected Product**

9 **Vehicle**

10 **MAKE** **MODEL** **YEAR**

11 TESLA MODEL X 2016

12

13 [May 4, 2020 NHTSA ID NUMBER: 11323290](#)

14 [Components: STEERING, SUSPENSION](#)

15 NHTSA ID Number: 11323290

16 Incident Date May 1, 2020

17 Consumer Location SANTA CLARITA, CA

18 Vehicle Identification Number 5YJXCBE21GF****

19 **Summary of Complaint**

20 **CRASHNo**

21 **FIRENo**

22 **INJURIES0**

23 **DEATHS0**

24 WHILE REVERSING INTO MY DRIVEWAY, WE HEARD A LOUD BANG SOUND AS IF I RAN
25 OVER SOMETHING, I STOPPED THE CAR TO MAKE SURE I DIDN'T RUN OVER ANYTHING,
26 WHICH I DIDN'T. I PUT THE CAR BACK IN REVERSE AND CAN HEAR BIG SCRAPING
27 SOUND, IT WAS THE TIRE HITTING WHEEL WELL. AFTER FURTHER INSPECTION, I
28 FOUND THE RIGHT FORE LINK WAS COMPLETELY OFF THE JOINT AND HANGING
THERE.

1 **1 Affected Product**

2 **Vehicle**

3 **MAKE**

4 **MODEL**

5 **YEAR**

6 TESLA

7 MODEL X

8 2016

9 [February 12, 2020 NHTSA ID NUMBER: 11308876](#)

10 **Components: SUSPENSION**

11 **NHTSA ID Number:** 11308876

12 **Incident Date:** December 15, 2019

13 **Consumer Location:** VESTAL, NY

14 **Vehicle Identification Number:** 5YJXCBE24GF****

15 **Summary of Complaint**

16 **CRASHNo**

17 **FIRENo**

18 **INJURIES0**

19 **DEATHS0**

20 FRONT RIGHT AIR SUSPENSION FAILED IN 3 1/5 YEARS. I WAS ADVISED TO CHANGE
21 BOTH FRONT SUSPENSION AND THE AIR PUMP AT SAME TIME. THE REPAIR COST WAS
22 \$3395.25.

23 **1 Affected Product**

24 **Vehicle**

25 **MAKE**

26 **MODEL**

27 **YEAR**

28 TESLA

TESLA MODEL X

2016

1 **December 16, 2019 NHTSA ID NUMBER: 11289356**

2 **Components: STEERING, SUSPENSION**

3 **NHTSA ID Number:** 11289356

4 **Incident Date** December 14, 2019

5 **Consumer Location** PLEASANTON, CA

6 **Vehicle Identification Number** 5YJXCBE27GF****

7 **Summary of Complaint**

8 **CRASHNo**

9 **FIRENo**

10 **INJURIES0**

11 **DEATHS0**

12 WAS DRIVING AT 19 MPH IN CITY STREET AND HAD TO MAKE A PANIC STOP DUE TO A
13 CAR ABOUT TO CUT ME OFF. HEARD A LOUD BANG. I GOT OUT OF THE CAR AND THE
14 DRIVER SIDE FRONT WHEEL IS DISPLACED. FURTHER INVESTIGATION I CAN SEE THE
15 LOWER DRIVER SIDE CONTROL ARM HAD BROKEN . CAR WAS NOT DRIVABLE
16 WITHOUT A LOUD CRUNCHING SOUND. I HAD IT TOWED TO THE TESLA SERVICE
17 CENTER.

18 **1 Affected Product**

19 **Vehicle**

17 MAKE	18 MODEL	19 YEAR
20 TESLA	21 MODEL X	22 2016

23 **September 12, 2019 NHTSA ID NUMBER: 11255176**

24 **Components: STEERING, SUSPENSION**

25 **NHTSA ID Number:** 11255176

26 **Incident Date** September 9, 2019

27 **Consumer Location** EL MONTE, CA

28 **Vehicle Identification Number** 5YJXCBE41GF****

1 **Summary of Complaint**

2 **CRASHNo**

3 **FIRENo**

4 **INJURIES0**

5 **DEATHS0**

6 LEFT FRONT SUSPENSION FORE LINK CRACKED AND FELL OFF. VEHICLE WAS ONLY
7 BACKING UP OUT OF GARAGE AND STEERING WHEEL WAS TURNED TO THE LEFT
8 WHEN A LOUD CRACK WAS HEARD FROM UNDER THE VEHICLE. THE BACK UP SPEED
9 WAS ONLY 1-2 MPH. LUCKILY, I WAS STILL IN MY DRIVEWAY TAKING MY KIDS TO
10 SCHOOL. I CAN'T IMAGINE WHAT THE OUTCOME WOULD HAVE BEEN IF IT BROKEN 5
11 MINUTES LATER ON THE HIGHWAY WITH THE KIDS INSIDE THE CAR.

12 **1 Affected Product**

13 **Vehicle**

14 MAKE	15 MODEL	16 YEAR
TESLA	MODEL X	2016

17 [August 13, 2019 NHTSA ID NUMBER: 11243782](#)

18 [Components: STEERING, SUSPENSION](#)

19 **NHTSA ID Number:** 11243782

20 **Incident Date** August 8, 2019

21 **Consumer Location** SCOTTSDALE, AZ

22 **Vehicle Identification Number** 5YJXCAE28GF****

23 **Summary of Complaint**

24 **CRASHNo**

25 **FIRENo**

26 **INJURIES0**

27 **DEATHS0**

1 THE CONTROL ARM BROKE WHILE BACKING OUT OF PARKING SPACE. I DID NOT RUN
2 OVER ANYTHING WHEN IT HAPPENED. WHEN I PULLED BACK FORWARD THE FRONT
3 END LIFTED UP. I HATE TO THINK WHAT COULD HAVE HAPPENED AT HIGH SPEED,

4 **1 Affected Product**

5 **Vehicle**

6 MAKE	7 MODEL	8 YEAR
9 TESLA	10 MODEL X	11 2016

12 [**May 6, 2019 NHTSA ID NUMBER: 11205681**](#)

13 **Components: SUSPENSION**

14 **NHTSA ID Number:** 11205681

15 **Incident Date** May 1, 2019

16 **Consumer Location** ASHBURN, VA

17 **Vehicle Identification Number** 5YJXCAE43GF****

18 **Summary of Complaint**

19 **CRASHNo**

20 **FIRENo**

21 **INJURIES0**

22 **DEATHS0**

23 CONTROL ARM DISCONNECTED WHILE BACKING OUT OF GARAGE. THERE APPEAR TO
24 BE AT LEAST 5 OTHER RELATED COMPLAINTS. IF THIS HAD HAPPENED AT HIGH
25 SPEED, THE CAR WOULD HAVE BEEN TOTALED.

26 **1 Affected Product**

27 **Vehicle**

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL X	6 2016

7
April 18, 2019 NHTSA ID NUMBER: 11197184

8
Components: SUSPENSION, WHEELS

9
NHTSA ID Number: 11197184

10
Incident Date April 17, 2019

11
Consumer Location DULUTH, GA

12
Vehicle Identification Number 5YJXCAE26GF****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
FRONT RIGHT SIDE (PASSENGER) WHEEL DISLODGED FROM SUSPENSION ARM. IT
HAPPENED WHILE I WAS REVERSING FROM A PARKING.

19
1 Affected Product

20
Vehicle

21 MAKE	22 MODEL	23 YEAR
24 TESLA	25 MODEL X	26 2016

27
April 4, 2017 NHTSA ID NUMBER: 10970607

28
Components: SUSPENSION, UNKNOWN OR OTHER

NHTSA ID Number: 10970607

1 **Incident Date** April 1, 2017

2 **Consumer Location** YORKTOWN HEIGHTS, NY

3 **Vehicle Identification Number** 5YJXCAE43GF****

4
5 **Summary of Complaint**

6 **CRASHNo**

7 **FIRENo**

8 **INJURIES0**

9 **DEATHS0**

10 I WAS DRIVING MY MODEL X P90D ON A LOCAL STREET 2 DAYS AGO. WHEN I MADE A
11 V-SHAPED RIGHT TURN AT THE SLOW SPEED OF 5 TO 10 MI/H, I HIT A VERY SMALL
12 POTHOLE AND HEARD A BANG. THERE WAS NO VIBRATION AT ALL, SO I DIDN'T PAY
13 ATTENTION AT THE TIME.

14 THE CAR WAS DRIVING PERFECTLY NORMAL FOR THE REST OF THAT DAY. I DROVE
15 ANOTHER 40 MILES OR SO, INCLUDING 20 MILES ON THE HIGHWAY WITH 60+ MI/H
16 SPEED.

17 THE ISSUE CAME UP THE NEXT DAY WHEN I WAS PULLING MY CAR OUT OF THE
18 GARAGE. I HEARD ANOTHER BANG WHEN THE CAR WAS BACKING, AND MY STEERING
19 BECAME STIFF. THE CAR WOULDN'T MOVE ANYMORE. THEN THE "SUSPENSION NEEDS
20 SERVICE" WARNING CAME OUT THE INSTRUMENT PANEL. I CAME OUT AND CHECK
21 THE CAR, FOUND OUT THAT THE ENTIRE FRONT WHEEL SNAPPED OFF!

22 I'M GLAD THAT IT ONLY HAPPENED TO ME AT MY GARAGE BUT NOT ON THE
23 HIGHWAY.

24 **1 Affected Product**

25 **Vehicle**

26 MAKE	27 MODEL	28 YEAR
29 TESLA	30 MODEL X	31 2016

32 January 27, 2017 NHTSA ID NUMBER: 10947973

33 Components: WHEELS, SUSPENSION

1 **NHTSA ID Number:** 10947973

2 **Incident Date** January 27, 2017

3 **Consumer Location** SAN FRANCISCO, CA

4 **Vehicle Identification Number** 5YJXCBE29GF****

5 **Summary of Complaint**

6 **CRASHNo**

7 **FIRENo**

8 **INJURIES0**

9 **DEATHS0**

10 TL* THE CONTACT OWNS A 2016 TESLA MODEL X. WHILE DRIVING INTO THE GARAGE,
11 THE REAR DRIVER SIDE WHEEL DETACHED FROM THE VEHICLE. THE VEHICLE WAS
12 NOT DIAGNOSED OR REPAIRED. THE MANUFACTURER WAS MADE AWARE OF THE
FAILURE. THE APPROXIMATE FAILURE MILEAGE WAS 1,118.

13 **1 Affected Product**

14 **Vehicle**

15 MAKE	16 MODEL	17 YEAR
18 TESLA	19 MODEL X	20 2016

21 **January 17, 2017 NHTSA ID NUMBER: 10945692**

22 **Components: SUSPENSION, WHEELS**

23 **NHTSA ID Number:** 10945692

24 **Incident Date** January 2, 2017

25 **Consumer Location** RANCHO SANTA FE, CA

26 **Vehicle Identification Number** 5YJXCAE20GF****

27 **Summary of Complaint**

28 **CRASHNo**

1 **FIRENo**

2 **INJURIES0**

3 **DEATHS0**

4 WHILE DRIVING ON THE SECOND FLOOR OF A PARKING GARAGE AT THE LOCAL MALL
5 WITH THE ENTIRE FAMILY IN THE MODEL X (2 ADULTS & 3 KIDS) TO SEE A FAMILY
MOVIE, THE REAR DRIVER SIDE WHEEL "FELL-OFF" (SEE ATTACHED PHOTO'S).

6 IT APPEARS AS THOUGH THE CONTROL ARM DISENGAGED FROM THE CHASSIS OF THE
7 CAR VIS-A-VIS A MISSING BOLT OR PIN. THE VEHICLE IS BRAND-NEW (I.E., LESS THAN
1,000 MI), PURCHASED DIRECTLY FROM TESLA, IS DRIVEN BY A MOTHER OF THREE,
8 AND IS ACCIDENT FREE. THE CAR HAS NOT BEEN SUBJECT TO ANY EXTREME WEAR
AND TEAR OR OFF-ROAD DRIVING CONDITIONS.

9
10 TESLA SERVICE MANAGER IS FAMILIAR WITH VEHICLE AS IT HAS BEEN RECENTLY
SERVICED FOR DOOR/WINDOW ISSUES - NO FRAME OR WHEEL ISSUES PRIOR TO THE
11 INCIDENT.

12 THE VEHICLE WAS IN MOTION, HOWEVER AS MENTIONED, WE WERE DRIVING IN A
13 CROWDED PARKING GARAGE DURING HOLIDAY SEASON.

14 TESLA ROAD-SIDE SERVICE WAS EXTREMELY HELPFUL AND ARRANGED TO HAVE THE
CAR TOWED TO THE LOCAL SERVICE CENTER - THE CAR WAS OBVIOUSLY NOT
15 DRIVABLE. TOW TRUCK DRIVER HAD MENTIONED HE HAD NEVER WITNESSED
16 ANYTHING LIKE WHAT HE HAD SEEN WITH OUR VEHICLE. MOREOVER, HE DID
17 EXPRESS TO US THAT WE WERE VERY LUCKY THAT THE WHEEL HADN'T DISENGAGED
18 FROM THE VEHICLE WHILE WE WERE DRIVING AT A HIGH SPEED (E.G., ON THE
HIGHWAY).

19 THE MODEL X HAS BEEN AT THE TESLA SERVICE CENTER FOR CLOSE TO 3 WEEKS AND
20 DESPITE OUR INQUIRIES, WE HAVE NOT BEEN EXPRESSLY TOLD WHAT CAUSED THE
INCIDENT OR WHETHER OR NOT THE ISSUE IS A MORE SERIOUS/SYSTEMIC PROBLEM
21 WITH THE VEHICLE OR TESLA QUALITY CONTROL. CONSEQUENTLY, MY WIFE IS
22 CONCERNED FOR THE WELL BEING OF THE OTHER MOTHERS/FAMILIES SHE
ROUTINELY SEE'S DRIVING THE MODEL X IN AND AROUND OUR NEIGHBORHOOD.
23 SHOULD A WHEEL DISENGAGE FROM THE CAR AT A HIGH SPEED, THE OUTCOME IS
LIKELY TO BE MUCH DIFFERENT AND MUCH LESS FAVORABLE. *TR

24 **1 Affected Product**

25 **Vehicle**

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL X	6 2016

7
January 27, 2017 NHTSA ID NUMBER: 10947973

8
Components: WHEELS, SUSPENSION

9
NHTSA ID Number: 10947973

10
Incident Date January 27, 2017

11
Consumer Location SAN FRANCISCO, CA

12
Vehicle Identification Number 5YJXCBE29GF****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
TL* THE CONTACT OWNS A 2016 TESLA MODEL X. WHILE DRIVING INTO THE GARAGE,
19
THE REAR DRIVER SIDE WHEEL DETACHED FROM THE VEHICLE. THE VEHICLE WAS
20
NOT DIAGNOSED OR REPAIRED. THE MANUFACTURER WAS MADE AWARE OF THE
21
FAILURE. THE APPROXIMATE FAILURE MILEAGE WAS 1,118.

22
1 Affected Product

23
Vehicle

24 MAKE	25 MODEL	26 YEAR
27 TESLA	28 MODEL X	29 2016

30
May 15, 2020 NHTSA ID NUMBER: 11324722

1 **Components: SUSPENSION**

2 NHTSA ID Number: 11324722

3 **Incident Date** March 1, 2020

4 **Consumer Location** SAN FRANCISCO, CA

5 **Vehicle Identification Number** 5YJXCDE40HF****

6 **Summary of Complaint**

7 **CRASHNo**

8 **FIRENo**

9 **INJURIES0**

10 **DEATHS0**

11 I BELIEVE TESLA HAS DESIGNED AND INSTALLED DEFECTIVE UPPER CONTROL ARM,
12 JOINTS, AND BUSHINGS THAT DO NOT SUPPORT THE WEIGHT OF THE VEHICLE. I HAVE
13 EXPERIENCED A SLIGHT GLIDING OF VEHICLE IN ADDITION TO CREAKY AND CLANGY
14 SOUNDS EMITTING FROM THE FRONT SUSPENSION. THE GLIDING OCCURS DURING 30-
45 MPH, AND THE NOISES OCCUR AT SLOW SPEEDS. MY VEHICLE CURRENTLY HAS 22K
MILES ON IT AND HAVE BEEN DRIVEN UNDER NORMAL CONDITIONS. *TR

15 **1 Affected Product**

16 **Vehicle**

17 MAKE	18 MODEL	19 YEAR
20 TESLA	21 MODEL X	22 2017

23 **May 8, 2020 NHTSA ID NUMBER: 11323803**

24 **Components: SUSPENSION**

25 NHTSA ID Number: 11323803

26 **Incident Date** May 4, 2020

27 **Consumer Location** COLORADO SPRINGS, CO

28 **Vehicle Identification Number** 5YJXCBE25HF****

29 **Summary of Complaint**

1 **CRASHNo**

2 **FIRENo**

3 **INJURIES0**

4 **DEATHS0**

5 WHEN TURNING THE WHEEL AND BACKING UP INTO A PARKING SPOT AT MY WORK,
6 THERE WAS A LOUD THUD/POP NEAR THE FRONT LEFT TIRE. I WAS TRAVELING 1-5
7 MPH SINCE I WAS BEING CAREFUL WITH MY NEW CAR. THIS CAR WAS PURCHASED
8 NOT MORE THAN 48 HOURS BEFORE FROM A TESLA DEALERSHIP. ON THE DAY THAT
9 WE BOUGHT IT AND DROVE IT HOME THE CAR WAS SHAKING SO BAD WE HAD TO
10 MOVE THE KIDS CAR SEATS TO THE BACK OF THE CAR. THAT SAME DAY WE SET UP A
11 SERVICE APPOINTMENT TO GET THAT ISSUE FIXED WHILE NOT DRIVING THE CAR
12 BECAUSE WE WERE AFRAID THERE WERE TIRE PROBLEMS. THE DEALERSHIP LOOKED
13 OVER OTHER ISSUES AS WELL BEFORE WE LEFT BUT SAID SINCE THE SERVICE
14 DEPARTMENT WAS CLOSED THAT DAY WE WOULD HAVE TO COME BACK SOMETIME
15 IN THE FUTURE. *TR

16 **1 Affected Product**

17 **Vehicle**

18 MAKE	19 MODEL	20 YEAR
21 TESLA	22 MODEL X	23 2017

24 [October 15, 2020 NHTSA ID NUMBER: 11364589](#)

25 [Components: SUSPENSION](#)

26 NHTSA ID Number: 11364589

27 **Incident Date** October 18, 2019

28 **Consumer Location** Langley, WA

29 **Vehicle Identification Number** 5YJSA1DN3DF****

30 **Summary of Complaint**

31 **CRASHNo**

32 **FIRENo**

33 **INJURIES0**

1 DEATHS0

2 VEHICLE MAKES SQUEAK NOISE WHEN DRIVING LOW SPEED AND DRIVE OVER A
 3 BUMPER. TOOK THE CAR TO SERVICE CENTER AND THEY SAID RIGHT UPPER CONTROL
 4 ARM NEED REPLACEMENT ON OCT 19 2019 AND PAID IT AND REPLACED. SAME THING
 5 HAPPENED ON LEFT UPPER CONTROL ARM ON MAY 08 2020 AND PAID AND REPLACED.

6 AND THEY TOLD ME THAT PLAY IS PRESENT IN BOTH AFT LINKS. I AM WORRIED THAT
 7 MY MODEL IS OLD ONE AS 2013 AND IT FAILED A LOT FROM THE SUSPENSION PART.
 8 THANKS GOD THIS THING HAPPENED ON HIGH SPEED BUT I AM REALLY WORRIED
 9 REGARDING THE SAFETY OF THE CAR.

10 1 Affected Product**11 Vehicle**

12 MAKE	13 MODEL	14 YEAR
15 TESLA	16 MODEL S	17 2013

18 [September 28, 2020 NHTSA ID NUMBER: 11361567](#)

19 [Components: POWER TRAIN, SUSPENSION, UNKNOWN OR OTHER](#)

20 NHTSA ID Number: 11361567

21 Incident Date September 7, 2020

22 Consumer Location TAYLOR, TX

23 Vehicle Identification Number 5YJSA1CP9DF****

24 Summary of Complaint

25 CRASHNo

26 FIRENo

27 INJURIES0

28 DEATHS0

WELL I LOVE MY FIRST TESLA BUT AFTER THE FIRST TIME IT HAD TO GO IN TO THE
 AUSTIN SERVICE CENTER FOR A PROBLEM WITH A CLICKING /THUMPING NOISE AS
 WHEN I BACK UP I HEARD & FEEL. SO AFTER HAVING MY CAR A COUPLE DAYS FOUND
 IT WOULD NEED TO HAVE THE LARGE DRIVE UNIT REPLACE THAT WILL BE STILL
 COVERED UNDER WARRANTY, BUT SAY THE REAR SUBFRAME NEEDS TO BE REPLACE

1 & I HAVE TO PAY TO GET REPLACED DUE TO "WEAR & TEAR" AS SERVICE CENTER
 2 SAY, ON MY SUBFRAME IT'S NEVER BEEN IN ANY ACCIDENT ETC. THEY SAY IT'S NOT
 3 COVERED THE 100% WARRANTY!!

4 **1 Affected Product**

5 **Vehicle**

6 MAKE	7 MODEL	8 YEAR
9 TESLA	10 MODEL S	11 2013

12 [August 29, 2020 NHTSA ID NUMBER: 11351926](#)

13 [Components: SUSPENSION](#)

14 **NHTSA ID Number:** 11351926

15 **Incident Date** August 23, 2020

16 **Consumer Location** LONG ISLAND CITY, NY

17 **Vehicle Identification Number** 5YJSA1DN4DF****

18 **Summary of Complaint**

19 **CRASHNo**

20 **FIRENo**

21 **INJURIES0**

22 **DEATHS0**

23 WHILE SLOWLY BACKING CAR UP IN DRIVEWAY, THE LEFT REAR LOWER CONTROL
 24 ARM UNEXPECTEDLY FAILED AND THE SUSPENSION COLLAPSED WITH THE WHEEL
 25 CAMBERED OUTWARD AT 30 DEGREES OR SO. THE WHEEL WAS TRAPPED IN THE
 WHEEL WELL AND UNABLE TO ROTATE, AND RELATED SUSPENSION PARTS
 INCLUDING A BRAKE LINE AND THE AIR SPRING MODULE WERE DAMAGED. IF THIS
 HAD HAPPENED AT SPEED THE LOCKED-UP REAR WHEEL WOULD HAVE CAUSED LOSS
 OF CONTROL WITH SERIOUS CONSEQUENCES.

26 THERE IS AN EXISTING TESLA SERVICE BULLETIN, SB 19-31-001, WHICH STATES: "ON
 27 CERTAIN MODEL S VEHICLES, EITHER LOWER REAR CONTROL ARM MIGHT CRACK,
 CAUSING EXCESSIVE NEGATIVE CAMBER OF THE REAR SUSPENSION." IT STATES THAT
 28 THE CORRECTION IS: REPLACE BOTH LH AND RH LOWER REAR CONTROL ARM

1 ASSEMBLIES WITH UPDATED PARTS." THIS DESCRIBES EXACTLY WHAT HAPPENED
 2 WITH MY VEHICLE. THE CIRCULAR, CAST ALUMINUM PART OF THE ARM WHICH
 3 CONTAINS A LARGE BUSHING AT THE OUTBOARD END OF THE CONTROL ARM
 4 CRACKED AND FAILED SO THAT THE BUSHING WAS NO LONGER HELD BY THE ARM.
 5 UNDER THE VEHICLE TWO PIECES OF THE CAST ALUMINUM PART WERE FOUND.
 6 THESE BROKEN PARTS WERE THE RESULT OF TWO CRACKS IN THE ASSEMBLY. ONE
 7 CRACK HAS EVIDENCE OF CORROSION, SUGGESTING THAT IT OCCURRED MONTHS
 8 BEFORE THE UNIT FAILED; THE OTHER CRACK SHOWS BARE METAL INDICATING
 9 THAT IT JUST OCCURRED.

10 THE TESLA SB STATES THAT THIS DEFECT IS A "KNOWN NON-SAFETY-RELATED
 11 CONDITION." I CANNOT POSSIBLY SEE HOW THIS IS A "NON-SAFETY-RELATED" ISSUE --
 12 IF THIS FAILURE HAD OCCURRED AT SPEED IT COULD HAVE BEEN CATASTROPHIC.

13 TESLA SERVICE HAS QUOTED ALMOST \$4000 FOR REPAIR, BUT THIS DOES NOT
 14 INCLUDE REPLACEMENT OF THE CONTROL ARM ON THE OTHER SIDE OF THE VEHICLE
 15 PER THE SERVICE BULLETIN -- IN OTHER WORDS, THEY ARE IGNORING THE BULLETIN.
 16 OTHERS ON THE TESLA FORUMS ARE HAVING EXACTLY THE SAME CONTROL ARM
 17 FAILURES. THE SITUATION IS UNNERVING AND DISCOURAGING.

1 Affected Product

Vehicle

15 MAKE	16 MODEL	17 YEAR
18 TESLA	19 MODEL S	20 2013

21 **February 11, 2019 NHTSA ID NUMBER: 11176146**

22 **Components: SUSPENSION**

23 **NHTSA ID Number:** 11176146

24 **Incident Date** February 10, 2019

25 **Consumer Location** BOCA RATON, FL

26 **Vehicle Identification Number** 5YJSA1CN5DF****

27 Summary of Complaint

28 **CRASHNo**

29
 Class Action Complaint
 Case No.

1 **FIRENo**2 **INJURIES0**3 **DEATHS0**

4 THREE DAYS AGO I PARKED MY VEHICLE TO P/U A DOG FROM THE VET THUS PULLED
 5 INTO A PARKING SPACE WITH THE TIRES CLOSE TO THE CEMENT STOP. NO ISSUE.
 6 CAME OUTSIDE WITH THE PET AND LOADED HER INTO THE REAR SEAT. STARTED THE
 7 VEHICLE, PUT UNIT INTO REVERSE AND BACKED PERHAPS 3" WHEN UNIT STOPPED
 8 MOVING. PULLED FORWARD A FEW INCHES AND TRIED AGAIN. SAME. PULLED UP
 9 VEHICLE INFO ON THE IT SCREEN TO HEIGHT OF VEHICLE WHICH HAS AIR
 10 SUSPENSION. HEIGHT SHOWED NORMAL. HIT BUTTON FOR MAX HEIGHT, SAME ISSUE.
 11 WENT BACK INTO SCREEN AND WENT THROUGH THE SAME PROTOCOL. THIS TIME I
 12 COULD SEE THE UNITS FRONT END ROSE A FEW INCHES. PUT UNIT INTO REVERSE AND
 13 UNIT BACKED WITHOUT PROBLEM. I KEPT THE HEIGHT ADJUSTMENT AT THAT LEVEL.
 14 YESTERDAY, 2/20/19. I PULLED INTO A PARKING SPACE AND DROVE VEHICLE INTO A
 15 PARKING SPACE WITHOUT ANY PROBLEM. PICKED UP TWO ORDER OF CHINESE FOOD
 16 WEIGHING ABOUT 1 POUND. PUT UNIT INTO REVERSE AFTER SEAT BELTS SECURED.
 17 BACKED OUT VERY SLOWLY WHEN ALL OF A SUDDEN THERE WAS A LOUD NOISE.
 18 DISMOUNTED FROM VEHICLE TO FIND THE ENTIRE FRONT PORTION OF THE UNIT WAS
 19 LYING ON THE GROUND. A PASSERBY SAW WHAT HAPPENED AND SAID "YOU MUST
 HAVE AIR SUSPENSION LIKE I HAVE IN MY TESLA. THE SAME THING HAPPENED TO
 ME"!! THREE OF US WORKED 20 MINUTES OR SO TO REATTACH THE ENTIRE FRONT
 END. HAD A PEDESTRIAN BEEN WALKING TO THE VEHICLES PARKED NEXT TO ME
 THEY WOULD HAVE BEEN HURT. WHAT IS TO PREVENT THIS FROM HAPPENING WHEN
 DRIVING? I HAD AN AERONAUTICAL ENGINEER WITH ME WHEN THIS EVENT
 HAPPENED. THEY WERE SHOCKED. TESLA WOULD NOT ADMIT THERE IS A SAFETY
 PROBLEM AND STATED OWNERS SHOULD NOT DRIVE FORWARD TO THE TIRE STOP.
 SO, WE ARE TO LET THE REAR END OF THE UNIT HANG OUT 2 TO 3 FEET IN THE DRIVE
 AREA. THERE IS DAMAGE TO THE FENDER, HOOD AND FRONT END. THIS SHOULD STOP
 IT IS A SOFTWARE ISSUE, NOT OPERATOR FAULT.

20 **1 Affected Product**21 **Vehicle**

22 MAKE	23 MODEL	24 YEAR
25 TESLA	26 MODEL S	27 2013

28 December 11, 2018 NHTSA ID NUMBER: 11160817Components: SUSPENSION

1 **NHTSA ID Number:** 11160817

2 **Incident Date** December 11, 2018

3 **Consumer Location** LA CROSSE, WI

4 **Vehicle Identification Number** 5YJSA1CN4DF****

5 **Summary of Complaint**

6 **CRASHNo**

7 **FIRENo**

8 **INJURIES0**

9 **DEATHS0**

10 I WAS BACKING THE CAR OUT OF MY GARAGE WHEN I HEARD A STRANGE SCRAPING
11 SOUND. WHEN I LOOKED TO SEE WHAT WAS UP I FOUND THAT THE RIGHT REAR
12 SUSPENSION HAD COLLAPSED. THE CAR WAS MOVING STRAIGHT BACK AT VERY LOW
13 SPEED IN MY DRIVEWAY. I WAS TOLD BY THE TOW TRUCK TECHNICIAN THAT THE
LOWER CONTROL ARM HAD FAILED.

14 **1 Affected Product**

15 **Vehicle**

16 MAKE	16 MODEL	16 YEAR
18 TESLA	18 MODEL S	18 2013

21 [October 4, 2017 NHTSA ID NUMBER: 11031733](#)

22 [Components: SUSPENSION](#)

23 **NHTSA ID Number:** 11031733

24 **Incident Date** August 14, 2017

25 **Consumer Location** ROWLAND HEIGHTS, CA

26 **Vehicle Identification Number** 5YJSA1CP4DF****

27 **Summary of Complaint**

28 **CRASHNo**

1 **FIRENo**

2 **INJURIES0**

3 **DEATHS0**

4 I MADE A LEFT TURN ON KELLOGG DRIVE.I RAN OVER SOME SAFETY DOTS ON THE
5 FLOOR. THE SAFETY DOTS WAS ABNORMAL LARGE IN SIZE. BOTH MY FRONT AND
6 REAR WHEEL RAN OVER MANY LARGE SAFETY DOTS. THE COMPLETE TESLA BRAKE
7 FUNCTION FAILED AND I HAVE NO BRAKE. BY THE TIME MY CAR STOPS I WAS
8 LITERALLY SITTING ON TOP OF SAFETY DOTS. ONCE I COME OUT OF THE CAR I SAW
9 THAT MY LEFT REAR TIRE AND RIMS LOOK LIKE IS FALLING OUT OF PLACE. THE
POLICE CAMPUS CAME AND SAID IT LOOKS LIKE YOUR AXEL WAS BROKEN. THERE
WAS NO DAMAGE TO THE OUTER APPEARANCE OF MY TESLA ONLY A UPPER
SUSPENSION WHICH WAS DAMAGE. I BELIEVE THE PARTS WAS AN INTEGRITY ISSUE
AND TESLA DENIES IT.

10 **1 Affected Product**

11 **Vehicle**

12 MAKE	13 MODEL	14 YEAR
15 TESLA	16 MODEL S	2013

17 [March 25, 2017 NHTSA ID NUMBER: 10968448](#)

18 [Components: SUSPENSION](#)

19 NHTSA ID Number: 10968448

20 Incident Date March 24, 2017

21 Consumer Location NEWINGTON, CT

22 Vehicle Identification Number 5YJSA1CN4DF****

23 **Summary of Complaint**

24 **CRASHNo**

25 **FIRENo**

26 **INJURIES0**

27 **DEATHS0**

1 SUSPENSION LINKS IN MY TESLA MODEL S 2013 WERE ADVISED TO BE REPLACED AT
 2 56,000 MILES. IF NOT REPLACED BY SERVICE I WAS TOLD THE WHEELS COULD BREAK
 3 OFF. NO TIMELINE WAS GIVEN. THE CAR WAS MODERATELY USED ON AVERAGE
 4 CONDITION ROADS IN THE STATE OF CONNECTICUT. SUSPENSION LINKS SHOULD BE
 MORE RELIABLE AND NOT REQUIRE A REPLACEMENT AFTER 56,000 OF REGULAR
 USAGE.

5 **1 Affected Product**

6 **Vehicle**

7 MAKE	8 MODEL	9 YEAR
10 TESLA	11 MODEL S	12 2013

13 [January 14, 2017 NHTSA ID NUMBER: 10945288](#)

14 [Components: SUSPENSION, WHEELS, STRUCTURE](#)

15 **NHTSA ID Number:** 10945288

16 **Incident Date** January 11, 2017

17 **Consumer Location** FREMONT, CA

18 **Vehicle Identification Number** 5YJSA1BC5DF****

19 **Summary of Complaint**

20 **CRASHNo**

21 **FIRENo**

22 **INJURIES0**

23 **DEATHS0**

24 MY CAR WENT OVER A POTHOLE ON 101 S JUST SHORT OF WOODSIDE RD. EXIT. I
 HEARD A LOUD THUD AND MY CAR WENT OUT OF CONTROL AND VEERED INTO THE
 LANES NEXT TO ME AS I TRIED TO CONTROL IT. AFTER SEVERAL ATTEMPTS TO STOP
 IT, IT FINALLY CAME TO A STOP. THE REAR, RIGHT TIRE BURST AND THE WHEEL
 IMPACTED BADLY. REAR SUSPENSION BROKEN AND THE 'QUARTER AND ROCKER
 PANEL' BROKEN.

25 **1 Affected Product**

26 **Vehicle**

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL S	6 2013

7
November 16, 2016 NHTSA ID NUMBER: 10926399

8
Components: SUSPENSION

9
NHTSA ID Number: 10926399

10
Incident Date November 12, 2016

11
Consumer Location CREVE COEUR, MO

12
Vehicle Identification Number 5YJSA1CG7DF****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
RIGHT FRONT WHEEL'S SUSPENSION BALL JOINT OF A ARM SEPARATED WHILE
19
DRIVING ABOUT 35 MPH GOING STRAIGHT AHEAD ON SMOOTH PAVED ROAD. CAR
20
WAS STOPPED SAFELY AND PULLED OFF ROAD. AFTER STOPPING CAR, THE FRONT
21
RIGHT WHEEL WAS STILL ATTACHED BUT WAS LEANING IN ABOUT 15 DEGREES FROM
22
VERTICAL. RESULTED IN \$3100 OF DAMAGE TO CAR'S SUSPENSION COMPONENTS AND
23
TIRE.

24
1 Affected Product

25
Vehicle

26 MAKE	27 MODEL	28 YEAR
29 TESLA	30 MODEL S	31 2013

1 **June 13, 2016 NHTSA ID NUMBER: 10873808**

2 **Components: SUSPENSION**

3 **NHTSA ID Number:** 10873808

4 **Incident Date** June 9, 2016

5 **Consumer Location** KANKAKEE, IL

6 **Vehicle Identification Number** 5YJSA1AG1DF****

7 **Summary of Complaint**

8 **CRASHNo**

9 **FIRENo**

10 **INJURIES0**

11 **DEATHS0**

12 AT 45K MILES MY SUSPENSION FAILED. IT REQUIRED A NEW CONTROL ARM AND
13 SUSPENSION ALIGNMENT. TESLA SAID "DROVE VEHICLE AND CONFIRMED NOISE
14 FROM FRONT OF VEHICLE. UPON INSPECTION FOUND LEFT FRONT

15 UPPER CONTROL ARM JOINT TO HAVE EXCESSIVE FREEPLAY." THE INDIVIDUAL AT
16 TESLA SAID IT WAS NO BIG DEAL. I WAS DRIVING THE CAR AND HEARD A CRACK
17 NOISE WHILE GOING DOWN A STREET. FROM THEN ON OUT MY CAR MADE LOUD
18 SQUEAKING AND CRACKING NOISES.

19 **1 Affected Product**

20 **Vehicle**

21 MAKE	22 MODEL	23 YEAR
TESLA	MODEL S	2013

24 **April 28, 2016 NHTSA ID NUMBER: 10862066**

25 **Components: SUSPENSION, STEERING**

26 **NHTSA ID Number:** 10862066

27 **Incident Date** April 24, 2016

28 **Consumer Location** CONNELLSVILLE, PA

Vehicle Identification Number P09340****

1 **Summary of Complaint**

2 **CRASHNo**

3 **FIRENo**

4 **INJURIES0**

5 **DEATHS0**

6 MY FRONT WHEEL HUB ASSEMBLY CAME LOOSE FROM THE UPPER CONTROL ARM
CAUSING A LOSE OF STEERING.

7 **1 Affected Product**

8 **Vehicle**

9 **MAKE** **MODEL** **YEAR**

11 TESLA MODEL S 2013

14 [May 2, 2015 NHTSA ID NUMBER: 10714213](#)

15 [Components: SUSPENSION](#)

16 **NHTSA ID Number:** 10714213

17 **Incident Date** May 2, 2015

18 **Consumer Location** LOS ANGELES, CA

19 **Vehicle Identification Number** 5YJSA1DN3DF****

20 **Summary of Complaint**

21 **CRASHNo**

22 **FIRENo**

23 **INJURIES0**

24 **DEATHS0**

25 LEFT REAR SUSPENSION INTEGRAL LINK COMPLETELY BROKE AND THE ATTACHED
26 PIECE LODGED IN THE INSIDE OF THE TIRE RIM CAUSING MAJOR DAMAGE TO THE
TIRE RIM. *TR

27 **1 Affected Product**

28 **Vehicle**

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL S	6 2013

7
January 27, 2015 NHTSA ID NUMBER: 10679347

8
Components: SUSPENSION

9
NHTSA ID Number: 10679347

10
Incident Date January 27, 2015

11
Consumer Location HURST, TX

12
Vehicle Identification Number 5YJSA1DP4DF****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
WAS REPLACING THE LEFT REAR WHEEL AND NOTED AN ODD "NOTCH" IN THE LEFT
REAR SUSPENSION ALUMINUM UPPER CONTROL ARM.

19
CLOSER INSPECTION REVEALED THAT THE UPPER CONTROL ARM WAS PARTIALLY
20 SEVERED WITH APPROXIMATELY 1/2 OF THE LOWER PORTION CROSS SECTION, AND
21 1/3 TO 1/4 OF THE UPPER PORTION CROSS SECTION, CUT THROUGH BY THE LOWER
22 SHOCK ABSORBER ATTACHMENT BOLT. IT APPEARS THAT THE BOLT WAS MOUNTED
23 BACKWARDS, WITH THE SHARP TIP OF THE BOLT FACING FORWARD INSTEAD OF
REARWARD, AT EITHER THE FACTORY, OR WHEN THE POWERTRAIN WAS REPLACED
BY THE TESLA DENVER SERVICE CENTER (AS REPORTED BY THE PREVIOUS OWNER).

24
EXTENSIVE PHOTOGRAPHS ARE AVAILABLE AND, FRANKLY, THEY ARE ESSENTIAL TO
ACCURATELY DEPICT THE SERIOUS AND POTENTIALLY CATASTROPHIC NATURE OF
THIS SUSPENSION DAMAGE. IT WOULD APPEAR THAT THE UPPER CONTROL ARM, A
MAJOR SUSPENSION COMPONENT WHOSE FAILURE WOULD LIKELY RESULT IN A LOSS OF
VEHICLE CONTROL AND POSSIBLY A ROLLOVER ACCIDENT, WAS AT OR NEAR THE
POINT OF FRACTURE DUE TO THE MASSIVE LOSS OF CROSS SECTIONAL MATERIAL
FROM THE FREQUENT IMPACTS (ON SUSPENSION COMPRESSION) BY THE MUCH
HARDER/STRONGER BOLT TIP. IN OTHER WORDS, THE BOLT TIP ACTED AS A LATHE,

1 CUTTING INTO THE SUSPENSION CONTROL ARM WITH EACH SUSPENSION CYCLE.

2 IN THE SHORT TERM, I STRONGLY RECOMMEND AN IMMEDIATE INSPECTION OF THE
3 TESLA MODEL S FLEET, BEGINNING WITH MODEL S'S THAT HAVE HAD THEIR
4 POWERTRAIN LOWERED AND REINSTALLED, TO SEE HOW MANY OTHER MODEL S'S
5 HAVE THIS IMPENDING CATASTROPHIC DEFECT. WHILE IT COULD HAPPEN, I WOULD
6 BE HIGHLY SURPRISED IF THIS VIN WAS THE ONE AND ONLY CASE OF THIS BOLT
BEING INSTALLED BACKWARDS. IN THE LONGER TERM, I RECOMMEND THIS BOLT BE
REDESIGNED SO AS TO PREVENT INCORRECT INSTALLATION.

7 PLEASE FEEL FREE TO CONTACT ME FOR ADDITIONAL INFORMATION AND FOR THE
8 PHOTOGRAPHS. *TR

9 **1 Affected Product**

Vehicle

10 MAKE	11 MODEL	12 YEAR
13 TESLA	14 MODEL S	15 2013
16 Tesla Model S – 2014		

16 [June 18, 2020 NHTSA ID NUMBER: 11329533](#)

17 [Components: SUSPENSION](#)

18 **NHTSA ID Number:** 11329533

19 **Incident Date** June 10, 2020

20 **Consumer Location** BARKHAMSTED, CT

21 **Vehicle Identification Number** 5YJSA1H15EF****

22 **Summary of Complaint**

23 **CRASHNo**

24 **FIRENo**

25 **INJURIES0**

26 **DEATHS0**

27 TL* THE CONTACT OWNS A 2014 TESLA MODEL S. THE CONTACT STATED THAT WHILE
DRIVING OVER A DIP IN HIS DRIVEWAY AT 5 MPH, THE DRIVER'S SIDE REAR WHEEL
28 STARTED TO SHAKE WITHOUT WARNING. THE VEHICLE WAS TOWED TO TESLA (881

1 BOSTON POST RD, MILFORD, CT 06460) WHERE THE VEHICLE WAS DIAGNOSED WITH
 2 AN UPPER CONTROL ARM FAILURE. THE VEHICLE WAS REPAIRED. THE
 3 MANUFACTURER WAS NOT NOTIFIED OF THE FAILURE. THE FAILURE MILEAGE WAS
 78,127.*JB

4 **1 Affected Product**

Vehicle

5 MAKE	6 MODEL	YEAR
7 TESLA	8 MODEL S	9 2014

10 [February 22, 2018 NHTSA ID NUMBER: 11074328](#)

11 **Components: SUSPENSION**

12 **NHTSA ID Number:** 11074328

13 **Incident Date:** December 30, 2017

14 **Consumer Location:** BERKELEY, CA

15 **Vehicle Identification Number:** 5YJSA1H24EF****

16 **Summary of Complaint**

17 **CRASH** Yes

18 **FIRE** No

19 **INJURIES** 0

20 **DEATHS** 0

21 THE LEFT FRONT FORE LINK BALL JOINT SNAPPED LIKE GLASS DURING NORMAL
 22 DRIVING. LUCKILY I WAS GOING AT RELATIVELY LOW SPEED ON A SIDE STREET. THIS
 23 ALLOWED THE SUSPENSION TO ALLOW THE WHEEL TO SLAM INTO THE FIREWALL
 24 AND IT LOCKED UP CAUSING THE RIGHT SIDE OF THE VEHICLE TO HIT A CURB. AS AN
 25 ENGINEER THIS SCARES THE DAYLIGHTS OUT OF ME, AS IF IT WOULD HAVE
 26 HAPPENED ON A HIGH SPEED HIGHWAY TURN, THE RESULTS COULD HAVE BEEN
 27 DEADLY. EVEN WITHOUT AN UNDERSTANDING OF ADVANCED METALLURGY, IT'S
 28 CLEAR THAT A HARDENED STEEL BALL JOINT SHOULD BE STRONGER THEN THE
 SURROUNDING ALUMINUM ALLOY PARTS ON EITHER SIDE THAT IT ATTACHES TO. IT
 LOOKS LIKE A GLASS ROD HIT WITH A HAMMER. THIS SAME THING HAPPENED TO
 ANOTHER 2014 IN OUR FAMILY ABOUT A YEAR AGO, AND I CHALKED IT UP TO

1 RANDOM FAILURE. BUT NOW 2 FAILURES?

2 I HAVE THE ORIGINAL FAILED PART IF NEEDED FOR ANALYSIS. THE REPLACEMENT
3 PART I OBTAINED THROUGH TESLA HAS BEEN RE-ENGINEERED, AND APPEARS TO BE
4 FROM A DIFFERENT SUPPLIER. I WENT AHEAD AND REPLACED BOTH SIDES, AND I
STILL HAVE THE NON-FAILED PART ON THE LEFT SIDE.

5 I ATTEMPTED TO CONTACT TESLA ABOUT THIS, AND THEY HAVE NOT RESPONDED TO
6 ME.

7 **1 Affected Product**

Vehicle

8 **MAKE** **MODEL** **YEAR**

11 TESLA MODEL S 2014

14 [August 12, 2020 NHTSA ID NUMBER: 11348941](#)

15 [Components: SUSPENSION](#)

16 **NHTSA ID Number:** 11348941

17 **Incident Date** August 7, 2020

18 **Consumer Location** FIRESTONE, CO

19 **Vehicle Identification Number** 5YJSA1S25FF****

20 **Summary of Complaint**

21 **CRASHNo**

22 **FIRENo**

23 **INJURIES0**

24 **DEATHS0**

25 WHILE BACKING OUT OF THE GARAGE ON A LEVEL SURFACE WE HEARD A LOUD POP.
26 UNSURE WHAT THE NOISE WAS I DID A WALK AROUND THE CAR BUT DID NOT SEE
27 ANYTHING UNUSUAL. WE DROVE THE CAR TO THE MOUNTAINS AT SPEEDS UP TO
55MPH. AS WE STARTED TO DRIVE HOME WE HEARD MORE SOUNDS LIKE SOMETHING
WAS LOOSE IN THE SUSPENSION. WE CALLED TESLA EMERGENCY ROAD SERVICE AND
ASKED IF THERE WAS A HISTORY WITH SUSPENSION ISSUES. WE ALSO ASKED IF IT

1 WAS SAFE TO DRIVE HOME. THE TECH SAID THERE WAS NO SERVICE BULLETIN ON
 2 THE SUSPENSION. HE WAS UNSURE IF IT WAS SAFE TO DRIVE. WE DID DRIVE THE
 3 VEHICLE SOME DISTANCE OUT OF THE MOUNTAINS WITHOUT INCIDENT. WE STOPPED
 4 TO VISIT A RESTAURANT AND WE HEARD FURTHER SOUNDS FROM THE SUSPENSION
 5 ON THE DRIVER'S SIDE OF THE VEHICLE. INSPECTION SHOWED THAT THE LEFT FRONT
 6 DRIVERS WHEEL HAD MOVED BACK OUT OF CENTER IN THE WHEEL WELL AND HAD
 7 RUBBED THE WHEEL WELL LINER. FROM THIS POINT THE VEHICLE WAS TOWED TO
 8 THE TESLA SERVICE CENTER. WE LATER LEARNED FROM AN INTERNET SEARCH THAT
 9 EVEN AT LOW SPEEDS WITHOUT ANY SHOCK TO THE SUSPENSION, TESLA MODEL S
 10 CONTROL ARM/FORE LINK ASSEMBLIES FAILED IN 2015 VEHICLES. THIS IS A
 11 DANGEROUS SITUATION AND COULD BE CATASTROPHIC IF THE FAILURE OCCURRED
 12 AT HIGH SPEED. WE SHOULD HAVE BEEN INFORMED THAT THERE WAS A HISTORY OF
 13 FAILURES AND IT WAS NOT SAFE TO DRIVE. WE FEEL THAT BOTH THE FRONT AND
 14 REAR SUSPENSION OF THE 2015 ARE PRONE TO FAILURE AND SHOULD BE RECALLED
 15 FOR SAFETY REASONS. ALTHOUGH THE TESLA IS ALMOST 5 YEARS OLD THE VEHICLE
 16 HAS JUST 23,170 MILES. SUSPENSION FAILURES SHOULD NOT BE HAPPENING AT THIS
 17 POINT. THE TESLA SERVICE CENTER DID REPLACE BOTH LEFT AND RIGHT LOWER
 18 FORE LINK ASSEMBLIES AS A GOOD WILL MEASURE SINCE THE CAR WAS NO LONGER
 19 UNDER WARRANTY.. .

13 **1 Affected Product**

Vehicle

15 MAKE	16 MODEL	17 YEAR
18 TESLA	19 MODEL S	20 2015

21 May 18, 2020 NHTSA ID NUMBER: 11325046

22 Components: SUSPENSION

23 **NHTSA ID Number:** 11325046

24 **Incident Date** May 10, 2020

25 **Consumer Location** BELMONT, NC

26 **Vehicle Identification Number** 5YJSA1H24FF****

27 **Summary of Complaint**

28 **CRASHNo**

FIRENo

Class Action Complaint
 Case No.

1 **INJURIES0**

2 **DEATHS0**

3 IN A PARKING LOT TRAVELING 5MPH RAN OVER AN ELEVATED SPEED BUMP ON LEFT
4 SIDE OF CAR WHEN HEARD A SNAP IN DRIVER REAR WHEEL AREA. PULLED OVER
5 INTO PARKING SPOT AND TIRE WAS CANTERED. CONTROL ARM HAD SNAPPED. HAD
6 65K MILES AND TESLA TOLD ME IT WAS NOT UNDER WARRANTY YET THE NEW
7 CONTROL ARM LOOKS MUCH STURDIER AND DIFFERENT THEN THE OLD ONE. I HAVE
8 PICTURES OF BOTH BUT THIS IS A REAL PROBLEM FOR THESE 2015 AND BEFORE
9 MODELS. PLEASE HELP. *TR

10 **1 Affected Product**

11 **Vehicle**

12 MAKE	13 MODEL	14 YEAR
15 TESLA	16 MODEL S	17 2015

18 [**August 13, 2019 NHTSA ID NUMBER: 11243469**](#)

19 **Components: SUSPENSION**

20 **NHTSA ID Number: 11243469**

21 **Incident Date August 13, 2019**

22 **Consumer Location CHESTER SPRINGS, PA**

23 **Vehicle Identification Number 5YJSA1E45FF******

24 **Summary of Complaint**

25 **CRASHNo**

26 **FIRENo**

27 **INJURIES0**

28 **DEATHS0**

29 LEFT FRONT CONTROL ARM BROKE AT 70MPH ON HIGHWAY. WAS LUCKILY ABLE TO
30 GET TO THE SIDE OF THE ROAD. IT CAUSED DAMAGE TO INSIDE WHEEL WELL AND
31 WORE THROUGH CAUSING BATTERY TO LOSE ALL COOLANT. CAR IS 3 1/2 YEARS OLD
32 WITH 113,000 MILES.

33 **1 Affected Product**

1 **Vehicle**2 **MAKE****MODEL****YEAR**

5 TESLA

MODEL S

2015

7 **July 26, 2019 NHTSA ID NUMBER: 11235055**8 **Components: SUSPENSION**

9 NHTSA ID Number: 11235055

10 **Incident Date** July 23, 201911 **Consumer Location** OAK PARK, CA12 **Vehicle Identification Number** 5YJSA1E41FF****14 **Summary of Complaint**15 **CRASHNo**16 **FIRENo**17 **INJURIES0**18 **DEATHS0**

19 I JUST JOINED THE BROKEN FORELINK CLUB. MY 2015 S P90D DEVELOPED AN ERRATIC
 20 LOW "THUMP" SOUND FROM THE FRONT END WHILE DRIVING HOME - FORTUNATELY
 21 ON LOW SPEED STREETS. NEXT DAY I PLANNED TO TAKE IT TO THE SERVICE CENTER
 22 TO HAVE IT CHECKED, BUT WHILE BACKING OUT OF THE DRIVEWAY, TURNING THE
 23 WHEEL TO THE RIGHT TO JOIN THE STREET, IT MADE AN OMINOUS CRUNCHING
 24 SOUND AND SHUT OFF. FINALLY, THE CAR REBOOTED AND I SLOWLY MOVED UP THE
 25 DRIVEWAY AND STOPPED. WHEN I TURNED THE WHEEL TO THE RIGHT, I COULD SEE
 THE TIRE HITTING THE REAR OF THE WHEEL WELL - THE CAR AGAIN SHUT ITSELF OFF.
 I CALLED TESLA ROADSIDE SERVICE, A FLATBED CAME, THE CAR REBOOTED LONG
 ENOUGH TO STRAIGHTEN THE WHEELS AND GET THE CAR ON THE TRUCK. THE TRUCK
 DRIVER SAID HE HAD SEEN THIS BEFORE, AND THAT WHOLE WHEEL WELLS HAD
 DISINTEGRATED.

26 THEY REPLACED BOTH FORELINKS WITH "IMPROVED" PARTS. IT IS FRIGHTENING TO
 27 THINK OF WHAT WOULD HAVE HAPPENED AT 75 MPH ON THE FREEWAY!

28 I'M NOT SURE HOW MUCH I TRUST THE REPAIR FROM WHAT I HAVE READ IN THE

1 TESLA FORUM - NUMEROUS SUCH FAILURES - BUT I WILL CERTAINLY KEEP AN EAR
2 OUT FOR LOW-FREQUENCY THUMPS - ANOTHER VIGILANCE TASK. THIS SHOULD
HAVE BEEN A RECALL. SHAME ON TESLA . . .

3 **1 Affected Product**

4 **Vehicle**

5 MAKE	6 MODEL	7 YEAR
8 TESLA	9 MODEL S	10 2015

11 [April 30, 2019 NHTSA ID NUMBER: 11204690](#)

12 [Components: SUSPENSION](#)

13 NHTSA ID Number: 11204690

14 Incident Date March 12, 2019

15 Consumer Location STERLING, VA

16 Vehicle Identification Number 5YJSA1E29FF****

17 **Summary of Complaint**

18 **CRASHNo**

19 **FIRENo**

20 **INJURIES0**

21 **DEATHS0**

22 I BELIEVE THE RIGHT STEERING KNUCKLE FAILED AFTER HITTING A BUMP. THE
FAILURE CAUSE THE SUSPENSION TO CRASH INTO THE ROAD CAUSING A LARGE
AMOUNT OF SUSPENSION DAMAGE.

23 **1 Affected Product**

24 **Vehicle**

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL S	6 2015

7
November 16, 2018 NHTSA ID NUMBER: 11152089

8
Components: STEERING, SUSPENSION

9
NHTSA ID Number: 11152089

10
Incident Date November 16, 2018

11
Consumer Location SAN CLEMENTE, CA

12
Vehicle Identification Number 5YJSA1E24FF****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
I WAS DRIVING MY TESLA MODEL S SLOWLY ON A BUSY DOWNTOWN STREET LINED
19
WITH PARKING SPACES. SPEED WAS LESS THAN 25 MILES PER HOUR. I BRAKED TO
20
ALLOW A CAR TO PULL OUT OF A PARKING SPOT AND MY CAR MADE A LOUD NOISE. I
21
TRIED TO CONTINUE DRIVING BUT THE NOISE CONTINUED SO I PULLED INTO THE
22
PARKING SPOT THAT HAD BEEN VACATED BY THE OTHER DRIVER TO SEE WHAT
23
HAPPENED. THERE WAS WINDSHIELD WIPER FLUID LEAKING FROM THE FRONT
24
WHEEL WELL AND A VISIBLY BROKEN CONTROL ARM AT THE FRONT LEFT WHEEL. I
25
THINK THAT IS WHAT THE PART IS CALLED BUT I AM NOT CERTAIN. THERE IS A
26
PICTURE OF THE BROKEN PART ATTACHED. THE WHEEL WELL WAS DAMAGED AND
27
THE TRIM AT THE BOTTOM OF THE DOOR WAS LOOSE. THERE APPEARS TO BE NO
28
CAUSE FOR THIS FAILURE AS THERE WAS NOTHING IN THE ROAD, NO POT HOLES, NO
OBJECTS, NO BUMPS. THE CAR WAS DRIVING FINE BEFORE THIS OCCURRED. THE
FAILURE OCCURRED ABOUT 3 MINUTES AFTER I STARTED THE TRIP. SPEED WAS LOW
THE ENTIRE TRIP AS I WAS LEAVING A RESTAURANT IN A DOWNTOWN AREA FULL OF
PEDESTRIANS, STOP SIGNS AND PARKING SPACES. THE CAR WAS NOT DRIVE-ABLE
FOLLOWING THIS FAILURE SINCE THE FRONT WHEEL WAS NO LONGER SUPPORTED.
TESLA SENT A TOW TRUCK TO TAKE THE CAR TO THEIR NEAREST SERVICE CENTER.

1
1 Affected Product

1 **Vehicle**2 **MAKE****MODEL****YEAR**

5 TESLA

MODEL S

2015

7 **March 1, 2018 NHTSA ID NUMBER: 11075754**8 **Components: SUSPENSION**

9 NHTSA ID Number: 11075754

10 **Incident Date** February 23, 201811 **Consumer Location** WESTON, FL12 **Vehicle Identification Number** 5YJSA1V40FF****14 **Summary of Complaint**15 **CRASHNo**16 **FIRENo**17 **INJURIES0**18 **DEATHS0**

19 BROKEN FRONT SUSPENSION FORE LINK

20 I NOTICED A CLUNKING SOUND AT SLOW SPEED WHEN GOING OVER SMALL BUMPS,
SO I STAYED OFF THE EXPRESSWAY AND SLOWLY DROVE HOME ON LOCAL ROADS.21 AFTER ARRIVING HOME, I BACKED UP WHILE TURNING THE WHEELS TO THE RIGHT
22 AND THE CAR ABRUPTLY STOPPED AS THE BACK OF THE RIGHT FRONT WHEEL
23 JAMMED SOLID AGAINST THE INSIDE WHEEL WELL LINING.24 THE RIGHT FRONT WHEEL WAS AN INCH OR TWO BACK FROM WHERE IT SHOULD BE. I
25 LOOKED UNDER FROM THE FRONT BUMPER AND SAW THAT I HAD A CRACKED FORE
26 LINK AND A PIECE OF THE FORE LINK WAS LAYING IN MY DRIVEWAY. I STILL HAVE
THAT BROKEN PIECE.

27 TESLA SENT A FLAT BED TRUCK TO GET THE CAR AND REPLACED THE FORE LINK.

28 THIS FAILURE SURE LOOKS LIKE IT COULD CAUSE A SERIOUS ACCIDENT. I FEEL VERY

1 LUCKY THIS DIDN'T BREAK AT HIGH SPEED ON THE EXPRESSWAY IN TRAFFIC OR ON A
2 JUG HANDLE.

3 THE ATTACHED PHOTOS SHOW THE FORE LINK BEFORE AND AFTER REPLACEMENT.

4 **1 Affected Product**

Vehicle

5 **MAKE** **MODEL** **YEAR**

6 TESLA MODEL S 2015

7

8 August 7, 2017 NHTSA ID NUMBER: 11013497

9 Components: SUSPENSION

10 NHTSA ID Number: 11013497

11 Incident Date August 5, 2017

12 Consumer Location COTO DE CAZA, CA

13 Vehicle Identification Number 5YJSA1V4XFF****

14

15 **Summary of Complaint**

16 **CRASHNo**

17 **FIRENo**

18 **INJURIES0**

19 **DEATHS0**

20 FRONT LEFT CONTROL ARM SUFFERED A FAILURE CAUSING IT TO BREAK LOOSE
21 FROM THE BALL JOINT AND CAUSING THE WHEEL TO PUSH BACK INTO THE BODY OF
22 THE CAR. THE FAILURE CAUSED THE CAR TO LIFT UP AND COME TO A DEAD STOP.
23 THIS WAS AT ~5MPH AFTER BACKING OUT OF THE DRIVEWAY OF OUR HOUSE
24 ON A RESIDENTIAL PAVED STREET AND STARTING TO DRIVE FORWARD. THERE WERE
25 NO NOISES OR WARNINGS UNTIL THE FAILURE OF THE CONTROL ARE OCCURRED. THE
26 PHOTO OF THE WHEEL SHOWS IT PUSHED BACK ALL THE WAY TO MAKE FRAME
27 CONTACT. THE OTHER PHOTOS SHOW THE CONTROL ARM COMPLETELY
28 DISCONNECTED FROM ITS MOUNTING POINT. THERE WAS SOME DAMAGE TO THE
WHEEL WELL LINER AND LIP OF THE FENDER THANKS TO THE SLOW SPEED THAT IT
OCCURRED. THE CAR HAD TO BE DRIVEN BACKWARDS ONTO A FLATBED TRAILER

1 AND THEN DOLLY'S PUT UNDER THE FRONT WHEELS IN ORDER TO GET THE CAR TO
 2 ROLL FORWARD INTO THE REPAIR SHOP. IT COULD NOT BE DRIVEN FORWARD AT ALL.
 3 THIS FAILURE IS VERY CONCERNING AND HAD IT OCCURRED AT HIGH SPEED COULD
 HAVE RESULTED IN INJURY.

4 **1 Affected Product**

Vehicle

5 MAKE	6 MODEL	YEAR
7 TESLA	8 MODEL S	9 2015

10 [October 9, 2016 NHTSA ID NUMBER: 10914970](#)

11 Components: SUSPENSION, WHEELS

12 NHTSA ID Number: 10914970

13 **Incident Date** October 5, 2016

14 **Consumer Location** SEATTLE, WA

15 **Vehicle Identification Number** 5YJSA1H25FF****

17 **Summary of Complaint**

18 **CRASHNo**

19 **FIRENo**

20 **INJURIES0**

21 **DEATHS0**

22 I WAS DRIVING MY CAR TO WORK AND ACCIDENTALLY SCRAPED THE FRONT RIGHT
 23 WHEEL ON A CURB NEAR A ROUNDABOUT ON AN OLD/NARROW SEATTLE STREET
 (THERE WAS ONCOMING TRAFFIC AND PARKED CARS SO I HAD VERY LITTLE ROOM
 24 ON MY RIGHT AND MIS-JUDGED). THE PAINT ON THE WHEEL WAS PRETTY BADLY
 SCRAPED UP BUT OTHERWISE THE CAR WAS FINE (NO BODY DAMAGE) AND THE
 25 WHEEL HAD NO VISUAL STRUCTURAL DAMAGE (THE CAR'S ALIGNMENT WAS NOT
 AFFECTED). I CONTINUED DRIVING TO WORK WITHOUT ISSUE, INCLUDING 5-6 MILES
 26 ON THE HIGHWAY AT 60MPH. WHEN PARKING IN THE UNDERGROUND GARAGE AT MY
 OFFICE 20 MINUTES AFTER THE CURB INCIDENT, I TURNED THE WHEEL TO THE LEFT
 27 TO ADJUST MY CAR IN THE PARKING SPOT AND HEARD/FELT A RUBBING SOUND,
 FOLLOWED BY A LOUD CLUNK. THE FRONT RIGHT OF THE CAR DROPPED AND THE

1 WHEEL FELL OFF THE SUSPENSION AND WAS WEDGED UNDER THE FRONT OF THE
 2 CAR. THE CAR WAS DISABLED AND HAD TO BE TOWED TO TESLA.

3 GIVEN THE AMOUNT OF FORCE APPLIED TO THE WHEEL BY THE CURB AND THE LACK
 4 OF OTHER SYMPTOMS, IT SEEMS UNLIKELY THAT ANY NORMAL, STOCK SUSPENSION
 5 SHOULD FAIL AS IT DID WITH THIS CAR. IT APPEARS A BOLT ON THE LOWER CONTROL
 6 ARM SHEARED OFF COMPLETELY WHEN I WAS PARKING (AND HAD PROBABLY BEEN
 7 FATIGUED BY THE CURBING INCIDENT).

1 Affected Product

Vehicle

8 MAKE	9 MODEL	10 YEAR
11 TESLA	12 MODEL S	13 2015

14 [August 26, 2016 NHTSA ID NUMBER: 10898994](#)

15 **Components: SUSPENSION**

16 **NHTSA ID Number:** 10898994

17 **Incident Date** August 5, 2016

18 **Consumer Location** ALAMO, CA

19 **Vehicle Identification Number** 5YJSA1E23FF****

20 **Summary of Complaint**

21 **CRASHNo**

22 **FIRENo**

23 **INJURIES0**

24 **DEATHS0**

25 MY TESLA MODEL S - 2015 - HAD THE LEFT FRONT SUSPENSION MALFUNCTION. TESLA
 26 CLAIMS IT WAS DAMAGED - ALTHOUGH THE CAR HAS ONLY BEEN DRIVEN 12000
 27 MILES - AND ONLY ON CITY STREETS AND HIGHWAYS. THERE HAS BEEN NO OFF
 28 ROADING AND HAZARDOUS ROAD CONDITIONS. THE CAR WAS LEFT UNABLE TO BE
 DRIVEN.

THE TESLA DEALER REFUSES TO DISCUSS THE MATTER - SIMPLY SAYING THAT THIS IS

1 NOT COVERED UNDER WARRANTY AND INSISTING I FILE AN INSURANCE CLAIM. I
2 HAVE ASKED TO SPEAK TO A SUPERVISOR - AND CAN NOT GET A REPLY FROM THEM. I
3 HAVE CALLED TESLA HEAD OFFICE - AND THEY REFERRED ME BACK TO THE LOCAL
DEAL - AND ASSURED ME THEY WOULD FOLLOW UP AND THEY HAVE NOT.

4 FURTHER MORE - THE REPLACEMENT PARTS HAVE BEEN ON ORDER AND ARE TAKING
5 AN EXCESSIVE AMOUNT OF TIME.

6 I AM CONCERNED - AFTER RESEARCHING THIS - THAT THE TESLA AIR SUSPENSION
MAY BE FAULTY - AND MY IN FACT BE HAZARDOUS WHEN DRIVING.

7 **1 Affected Product**

8 **Vehicle**

9 **MAKE** **MODEL** **YEAR**

12 TESLA MODEL S 2015

15 **July 29, 2020 NHTSA ID NUMBER: 11341996**

16 **Components: SUSPENSION**

17 **NHTSA ID Number: 11341996**

18 **Incident Date** July 18, 2020

19 **Consumer Location** SAN ANTONIO, TX

20 **Vehicle Identification Number** 5YJSA1E23GF****

21 **Summary of Complaint**

22 **CRASHNo**

23 **FIRENo**

24 **INJURIES0**

25 **DEATHS0**

26 I DROVE TO A STORE WITH NO ISSUES. UPON BACKING OUT OF A PARKING SPOT I
HEARD A 'BREAK' AND THEN FELT THE FRONT RIGHT TIRE RUBBING AGAINST THE
CAR. I NOTICED THE FRONT RIGHT TIRE WAS POSITIONED FURTHER BACK THAN
USUAL AND DETERMINED SOMETHING BROKE UNDER THE CAR. TOWED THE CAR
HOME, AND USED A CAMERA TO CAPTURE A BREAK IN THE FRONT FORE LINK. AS

1 YOU CAN SEE IN THE PICTURES, I WASN'T INVOLVED IN ANY ACCIDENT, NOR DID I HIT
 2 A POT HOLE OF ANY SORT. I HAD THE CAR TOWED TO TESLA WHERE THEY FIXED THE
 3 PROBLEM, BUT STATED THAT THIS WAS NOT A RECALL OR COVERED UNDER
 4 WARRANTY (I WAS OUTSIDE OF THE WARRANTY). I DISCOVERED ONLINE THAT THIS
 5 IS A COMMON PROBLEM WITH MODEL S AND X'S. I SUBMIT THIS TO YOU FOR YOUR
 6 REVIEW AS I BELIEVE THIS IS A SEVERE SAFETY ISSUE AND SHOULD BE RECALLED.
 7 ALSO, ATTACHED IN THIS INVOICE FROM TESLA. THEY REPLACED THE BROKEN
 8 PASSENGER SIDE FORE LINK AND ALSO REPLACED THE DRIVER SIDE FORE LINK AS I
 9 BELIEVE THEY FELT IT WOULD FAIL IN THE FUTURE.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
------	-------	------

TESLA	MODEL S	2016
-------	---------	------

July 23, 2020 NHTSA ID NUMBER: 11341133

Components: SUSPENSION

NHTSA ID Number: 11341133

Incident Date July 21, 2020

Consumer Location MONTEREY PARK, CA

Vehicle Identification Number 5YJSA1E1XGF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

THIS ISSUE HAPPENED OUT OF NOWHERE, NO COLLISION, NO POTHOLEs, AND NO EXTERIOR FORCE. ALL OF A SUDDEN I NOTICED A CLANGING NOISE IN THE FRONT LEFT WHEEL HOUSING. THIS ONLY HAPPENS WHEN GOING AT LOW SPEEDS (5 TO 15 MPH). THIS NOISE IS ESPECIALLY APPARENT WHEN GOING OVER SPEED BUMPS OR UP/DOWN DRIVEWAYS. FEW DAYS AGO I NEAR A VERY VERY LOUD BANG NOISE FROM THE FRONT AND ALL OF A SUDDEN WHEN I BACK UP THE CAR THE WHEEL WAS

1 SCRAPPING AGAINST THE INNER LINNING AND WOULD NOT ALLOW ME TO TURN THE
 2 STEERING WHEEL ALL THE WAY. THEN I PARKED AND NOTICED THE WHEEL WAS OFF
 CENTER (SEE PICTURE).

3 I TOOK IT TO THE SERVICE CENTER AND ATTACHED BELOW IS THE ESTIMATE. ONLY
 4 THE FRONT DRIVER SIDE HAD THE ISSUE, BUT THE ESTIMATE INCLUDES A
 5 REPLACEMENT OF THE PARTS FOR BOTH FRONT DRIVER AND PASSENGER SIDE.
 6 REASON FOR REPLACING BOTH IS THE PARTS BEING REPLACED ARE UPDATED PARTS.

7 THIS IS A SAFTEY CONCERN BECAUSE IF GOING AT HIGHER SPEED AND THESE PARTS
 WILL FAIL WILL CAUSE THE CAR TO LOOSE CONTROL.

8 **1 Affected Product**

9 **Vehicle**

10 MAKE	11 MODEL	12 YEAR
13 TESLA	14 MODEL S	15 2016

16 [July 19, 2020 NHTSA ID NUMBER: 11340288](#)

17 [Components: SUSPENSION](#)

18 **NHTSA ID Number:** 11340288

19 **Incident Date** September 10, 2019

20 **Consumer Location** NEW HARTFORD, NY

21 **Vehicle Identification Number** 5YJSA1E21GF****

22 **Summary of Complaint**

23 **CRASHNo**

24 **FIRENo**

25 **INJURIES0**

26 **DEATHS0**

27 BALL JOINTS FAIL WITHOUT WARNING.

28 **1 Affected Product**

Vehicle

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL S	6 2016

7
May 6, 2020 NHTSA ID NUMBER: 11323577

8
Components: SUSPENSION

9
NHTSA ID Number: 11323577

10
Incident Date April 25, 2020

11
Consumer Location LEAGUE CITY, TX

12
Vehicle Identification Number 5YJSA1E42GF****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
TL* THE CONTACT OWNS A 2016 TESLA MODEL S. THE CONTACT STATED WHILE
19
DRIVING OUT THE DRIVEWAY THE CONTACT HEARD AN ABNORMAL SOUND, AND
20
BECAME AWARE THAT THE BALL JOINT SEPARATED FROM LOWER CONTROL ARM ON
21
THE DRIVER'S SIDE FRONT SUSPENSION. THE CONTACT STATED AN UNKNOWN
DEALER WAS CONTACTED HOWEVER, NO ASSISTANCE WAS OFFERED. THE VEHICLE
WAS NOT DIAGNOSED NOR REPAIRED. THE MANUFACTURER WAS NOT INFORMED OF
FAILURE. THE FAILURE MILEAGE WAS APPROXIMATELY 2,497.

22
1 Affected Product

23
Vehicle

24 MAKE	25 MODEL	26 YEAR
27 TESLA	28 MODEL S	29 2016

April 30, 2020 NHTSA ID NUMBER: 11322838

Components: SUSPENSION

NHTSA ID Number: 11322838

Incident Date April 30, 2020

Consumer Location RICHMOND, TX

Vehicle Identification Number 5YJSA1E4XGF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES 0

DEATHS 80

MY FRONT SUSPENSION IS CLUNKING AND CHATTERING AND CAUSING THE STEERING WHEEL TO VIBRATE AT LOW SPEEDS. TESLA HAS DENIED IT TO BE COVERED UNDER WARRANTY.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

October 24, 2019 NHTSA ID NUMBER: 11270612

Components: SUSPENSION

NHTSA ID Number: 11270612

Incident Date October 17, 2019

Consumer Location IRVINE, CA

Summary of Complaint

1 **CRASHNo**

2 **FIRENo**

3 **INJURIES0**

4 **DEATHS0**

5 2016 TESLA, 3 YRS OLD WITH 61,170 MILES. WHILE BACKING OUT OF A DRIVEWAY, AT
6 SLOW SPEED, WITH STEERING WHEEL TURNED, BOTH FORELINKS (SUSPENSION ARMS)
7 BROKE. THE CAR APPEARED DRIVE-ABLE AND THE ONLY ISSUE I NOTICED WAS A
8 LOUD METAL GRINDING SOUND WHEN BRAKING AT SLOW SPEEDS. TESLA SERVICE
9 CENTER INSPECTED AND CONFIRMED BOTH FORELINKS WERE BROKEN BUT I'M STILL
10 WAITING TO HEAR BACK ON ANY ADDITIONAL DAMAGE (I.E. STEERING KNUCKLE)
11 RESULTING FROM THIS ISSUE.

12 **1 Affected Product**

13 **Vehicle**

14 MAKE	15 MODEL	16 YEAR
17 TESLA	18 MODEL S	19 2016

20 September 6, 2019 NHTSA ID NUMBER: 11253577

21 Components: SUSPENSION

22 **NHTSA ID Number:** 11253577

23 **Incident Date** September 4, 2019

24 **Consumer Location** MIDLOTHIAN, VA

25 **Vehicle Identification Number** 5YJSA1E26GF****

26 **Summary of Complaint**

27 **CRASHNo**

28 **FIRENo**

29 **INJURIES0**

30 **DEATHS0**

31 TL* THE CONTACT OWNS A 2016 TESLA MODEL S. WHILE DRIVING APPROXIMATELY 45
32 MPH, THE CONTACT HEARD A LOUD CRACKING SOUND AND THE VEHICLE STARTED
33 TO VEER TO THE LEFT. THE CONTACT PULLED OVER TO SIDE OF THE ROAD. THE

1 CONTACT EXITED THE VEHICLE AND NOTICED THAT THE FRONT DRIVER'S SIDE WAS
 2 VERY LOW AND CLOSE TO THE GROUND. THE VEHICLE WAS TOWED TO TESLA (9850 W
 3 BROAD ST, GLEN ALLEN, VA 23060,) WHERE IT WAS DIAGNOSED THAT THE FRONT END
 4 WAS FRACTURED FOR NO APPARENT REASON. THE MANUFACTURER WAS NOTIFIED
 OF THE FAILURE. THE VEHICLE WAS NOT REPAIRED. THE APPROXIMATE FAILURE
 MILEAGE WAS 38,756.

5 **1 Affected Product**

6 **Vehicle**

7 MAKE	8 MODEL	9 YEAR
10 TESLA	11 MODEL S	12 2016

13 September 4, 2019 NHTSA ID NUMBER: 11253305

14 Components: SUSPENSION

15 **NHTSA ID Number:** 11253305

16 **Incident Date** September 3, 2019

17 **Consumer Location** LAFAYETTE, CA

18 **Vehicle Identification Number** 5YJSA1E19GF****

19 **Summary of Complaint**

20 **CRASHNo**

21 **FIRENo**

22 **INJURIES0**

23 **DEATHS0**

24 3 YEAR OLD TESLA MODEL S 71K MILES. CATASTROPHIC FRONT SUSPENSION
 CONTROL ARM FAILURE. WHEELS DISCONNECTED FROM FRAME AND RUBBING
 AGAINST WHEEL WELL AFTER LOW SPEED DRIVE (<10 MPH) INSIDE PARKING LOT. NO
 COLLISION. NO PRIOR DAMAGE TO SUSPENSION. LARGE GRINDING NOISE AND
 UNABLE TO STEER. HAD TO CALL TOW TRUCK TO SEND TO TESLA SERVICE.

25 **1 Affected Product**

26 **Vehicle**

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL S	6 2016

7
July 30, 2019 NHTSA ID NUMBER: 11240524

8
Components: SUSPENSION

9
NHTSA ID Number: 11240524

10
Incident Date July 26, 2019

11
Consumer Location MONROE TOWNSHIP, NJ

12
Vehicle Identification Number 5YJSA1E27GF****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
LEFT FORELINK CRACKED WHILE TURNING THE WHEEL IN A PARKING LOT

19
1 Affected Product

20
Vehicle

21 MAKE	22 MODEL	23 YEAR
24 TESLA	25 MODEL S	26 2016

27
June 28, 2019 NHTSA ID NUMBER: 11228269

28
Components: SUSPENSION

29
NHTSA ID Number: 11228269

30
Incident Date June 26, 2019

1 **Consumer Location** STUART, FL

2 **Vehicle Identification Number** 5YJSA1E48GF****

3
4 **Summary of Complaint**

5 **CRASHNo**

6 **FIRENo**

7 **INJURIES0**

8 **DEATHS0**

9 FRONT RIGHT FORE LINK FAILED DISABLING STEERING TO WHEEL. FAILURE
10 OCCURRED WHILE IN CITY DRIVING AT MEDIUM SPEED. SYMPTOM WAS LOUD NOISE
FROM FRONT RIGHT QUARTER PANEL AREA AND SHUDDERING. CAR WAS TOWED VIA
FLATBED TRAILER TO TESLA SERVICE FACILITY IN RIVIERA BEACH, FL.

11 SERVICE PERSONNEL REPLACED BOTH FRONT FORE LINKS ALONG WITH THE RIGHT
12 FRONT TIRE. WORK WAS COVERED BY WARRANTY.

13 **1 Affected Product**

14 **Vehicle**

15 MAKE	16 MODEL	17 YEAR
18 TESLA	19 MODEL S	20 2016

21 [June 18, 2019 NHTSA ID NUMBER: 11220932](#)

22 [Components: SUSPENSION](#)

23 **NHTSA ID Number:** 11220932

24 **Incident Date** June 10, 2019

25 **Consumer Location** SAN LEANDRO, CA

26 **Vehicle Identification Number** 5YJSA1H24FF****

27
28 **Summary of Complaint**

CRASHNo

FIRENo

Class Action Complaint
Case No.

1 INJURIES0**2 DEATHS0**

3 SUSPENSION: THE VEHICLE STARTED MAKING CRUNCHING/GRINDING SOUNDS WHEN
 4 TURNING OR GOING OVER ANY SLIGHT BUMPS AT HIGH AND LOW SPEEDS. WHEN
 5 TURNING THE STEERING WHEEL, THE ENTIRE VEHICLE WOULD TILT UP AND DOWN.
 6 ALSO IN DRIVE AND REVERSE, THE FRONT PASSENGER TIRE WOULD HIT THE WHEEL
 7 WELL. WHEN THE BRAKES WERE APPLIED, THE VEHICLE WOULD MAKE SOUNDS AS
 8 WELL. WE TOOK THE VEHICLE IN AND THEY FOUND THAT THE UPPER CONTROL ARM
 9 HAD SNAPPED AND THE LOWER CONTROL ARM HAD BEEN DAMAGED AS WELL. THEY
 10 SAID IT WAS A RESULT OF THE VEHICLE GOING OVER A SEVERE BUMP OR NORMAL
 WEAR AND TEAR. THE VEHICLE ONLY HAS 38,000 MILES ON IT AND HAS NEVER BEEN
 DRIVEN OVER EXTREME CONDITIONS. WHEN LOOKING AT THE PART, IT LOOKS MORE
 LIKE A RESULT OF A MANUFACTURING DEFECT (STRESS FRACTURE) RATHER THAN
 NORMAL WEAR AND TEAR. FORTUNATELY WE DID NOT EXPERIENCE COMPLETE
 FAILURE WHILE DRIVING, AS IT POTENTIALLY COULD HAVE BEEN CATASTROPHIC.

11 1 Affected Product**Vehicle**

13 MAKE	14 MODEL	YEAR
15 TESLA	16 MODEL S	2016

17 [June 5, 2019 NHTSA ID NUMBER: 11218155](#)

18 [Components: SUSPENSION](#)

19 **NHTSA ID Number:** 11218155

20 **Incident Date:** April 17, 2019

21 **Consumer Location:** WEST BRANDYWINE, PA

22 **Vehicle Identification Number:** 5YJSA1E25GF****

23 Summary of Complaint**24 CRASHNo****25 FIRENo****26 INJURIES0****27 DEATHS0**

1 LEFT FRONT SUSPENSION WAS BROKEN. CAR WAS LAYING FLAT ON THE FLOOR
2 WITHOUT ANY PRIOR INCIDENT.

3 **1 Affected Product**

4 **Vehicle**

5 MAKE	6 MODEL	7 YEAR
8 TESLA	9 MODEL S	10 2016

11 **May 25, 2019 NHTSA ID NUMBER: 11210000**

12 **Components: SUSPENSION**

13 **NHTSA ID Number:** 11210000

14 **Incident Date** May 25, 2019

15 **Consumer Location** TOMBALL, TX

16 **Vehicle Identification Number** 5YJSA1E25GF****

17 **Summary of Complaint**

18 **CRASHNo**

19 **FIRENo**

20 **INJURIES0**

21 **DEATHS0**

22 I HAD JUST FINISHED WASHING/DRYING MY 2016 TESLA MODEL S (LESS THAN 22K
23 MILES), AND WHILE VERY SLOWLY BACKING OUT OF MY INCLINED DRIVEWAY WITH
24 THE STEERING WHEEL TURNED TO THE RIGHT, I HEARD AN AUDIBLE CRACK,
FOLLOWED BY THE RIGHT TIRE RUBBING AGAINST THE WHEEL WELL LINER. ON THE
DRIVEWAY, I FOUND A SEMI-CIRCULAR PIECE OF ALUMINUM, WHICH TURNED OUT TO
BE A CRACKED FORELINK.

25 **1 Affected Product**

26 **Vehicle**

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL S	6 2016

7
August 23, 2018 NHTSA ID NUMBER: 11121921

8
Components: SUSPENSION

9
NHTSA ID Number: 11121921

10
Incident Date August 20, 2018

11
Consumer Location WESTFORD, MA

12
Vehicle Identification Number 5YJSA1E28GF****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
TL* THE CONTACT OWNS A 2016 TESLA MODEL S. WHILE DRIVING APPROXIMATELY 5
19 MPH, THE FRONT DRIVER SIDE WHEEL SEIZED AND THE VEHICLE CAME TO AN
20 IMMEDIATE STOP. THE FAILURE OCCURRED WITHOUT WARNING. THE VEHICLE WAS
21 TOWED TO TESLA SERVICE CENTER (457 PLEASANT ST, WATERTOWN, MA) WHERE IT
22 WAS DIAGNOSED THAT THE DRIVER AND PASSENGER SIDE LINK ASSEMBLIES WERE
23 DEFECTIVE AND NEEDED TO BE REPLACED. THE VEHICLE WAS REPAIRED. THE
24 MANUFACTURER WAS NOTIFIED OF THE FAILURE. THE FAILURE MILEAGE WAS
25 APPROXIMATELY 42,000. THE VIN WAS NOT PROVIDED. **TR

26
UPDATED 10/31/18*JB

27
1 Affected Product

28
Vehicle

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL S	6 2016

7
August 16, 2018 NHTSA ID NUMBER: 11120467

8
Components: SUSPENSION

9
NHTSA ID Number: 11120467

10
Incident Date August 14, 2018

11
Consumer Location BARRINGTON, IL

12
Vehicle Identification Number 5YJSA1E26GF****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
CRACKED FRONT SUSPENSION - LOWER FORE ARM - DRIVERS SIDE, CRACKED AT THE
19
BALL JOINT INTERFACE RESULTING IN THE BALL JOINT SEPARATING FROM THE
20
CONTROL ARM. THIS VEHICLE HAS 23,140 MILES AND HAS ONLY BEEN DRIVEN ON
PAVED ROADS IN THE MIDWEST US. NO OFF ROAD OR ROUGH SERVICE. FAILURE
HAPPENED WHILE BACKING OUT OF A PARKING SPACE. WITHIN 5 FEET A LOUD SNAP
WAS HEARD THEN RUBBING LIKE THE TIRE WAS HITTING THE WHEEL WELL. STOPPED
THE CAR AND FOUND THE DRIVERS SIDE LOWER BALL JOINT SEPARATED AT THE
LOWER FORE ARM. LOWER FORE ARM WAS CRACKED. TESLA TOWED THE VEHICLE TO
SERVICE CENTER AND REPLACE FORE LINK ASSY, LH (1041570-00B). ORIGINAL
DAMAGE TO PART APPEARED TO BE A CRACK IN THE PART WITH LOWER FORE ARM
INTERFACE HOLE TO THE BALL JOINT STILL ROUND IN SHAPE. PICTURE ATTACHED
SHOW MORE DAMAGE DUE TO MOVING THE VEHICLE FOR TOWING AND REPAIR.

25
1 Affected Product

26
Vehicle

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL S	6 2016

7
July 12, 2018 NHTSA ID NUMBER: 11110981

8
Components: SUSPENSION

9
NHTSA ID Number: 11110981

10
Incident Date July 10, 2018

11
Consumer Location GLEN MILLS, PA

12
Vehicle Identification Number 5YJSA1E26GF****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
19
20
21
22
23
24
25
26
27
28
TESLA MODEL S 2016, VEHICLE IS MAKING A GRINDING NOISE FROM THE LEFT SIDE
AND THAT THE WHEEL APPEARS TO BE TOO CLOSE TO THE WHEEL WELL. A NOISE
STARTED 2-3 DAYS AGO WHEN THE WE TRY TO TURN THE STEERING WHEEL TO TAKE
A SHARP LEFT OR RIGHT TURN. THE FRONT SUSPENSION LINK ON THE DRIVER SIDE
WHEEL BROKE WHILE PARKING THE CAR.

GOT THE CAR TOWED TO TESLA SERVICE AND THEY FIXED IT 1 DAY LATER.

CORRECTIONS: LINK - FRONT SUSPENSION - LOWER - FORE - LH

REPLACED THE LEFT FORE LINK TO SPECIFICATION. VERIFIED PROPER OPERATION.

PARTS REPLACED BY TESLA -

FORE LINK ASSY, LH (1041570-00-B)

1WASHER, NORDLOCK, 15.2X30.7X3.4 (1033093-00-A)

1NUT HF M14X1.50 [10] ZNNI NL INSERT (1004358-00-C)

1 BOLT H CAM M14X2.00X114 [10.9]-G720 (2007108)
2

3 WASHER CAM M14X38X6X2.5 [10]-G720 (2007115)
4

5 NUT CLN HEX M14X2.0 [10] ZNAL-W (1006484-00-A)1
6

1 Affected Product

Vehicle

7 MAKE	MODEL	YEAR
8		
9 TESLA	MODEL S	2016
10		

11

12 May 30, 2018 NHTSA ID NUMBER: 11098746

13 Components: SUSPENSION, WHEELS

14 NHTSA ID Number: 11098746

15 Incident Date January 23, 2018

16 Consumer Location RANCHO MURIETA, CA

17 Vehicle Identification Number 5YJSA1E29GF****

18

19 **Summary of Complaint**

20 **CRASHNo**

21 **FIRENo**

22 **INJURIES0**

23 **DEATHS0**

24 BELOW IS A COPY OF AN EMAIL I SENT TO TESLA ON APRIL 30,2018. I HAVE YET TO
RECEIVE A RESPONSE. PLEASE CONTACT ME IF YOU NEED MORE INFORMATION.

25 ON JANUARY 23, 2018 I HAD AN INCIDENT WITH MY TESLA WHERE I HIT A SMALL
26 POTHOLE (11" WIDE BY 18" LONG AND 2" DEEP) AT A MODERATE SPEED OF ABOUT
27 40MPH. (I HAVE PICTURES OF THE ROAD THE POTHOLE IN QUESTION.) I LOST SOME
CONTROL OF MY CAR SWERVING INTO THE ONCOMING LANE FROM THE IMPACT, BUT
MANAGED TO PULL OVER ABOUT A COUPLE OF HUNDRED YARDS AFTER THAT WITH
NO FURTHER INCIDENT. I THOUGHT I HAD BLOWN A TIRE SINCE I HAVE LOW PROFILE

1 TIRES ON THE LARGER RIMS ONLY TO FIND THE TIRE WAS STILL INFLATED. HOWEVER
 2 THE WHEEL WAS OFF CAMBER AND I NOTICED THAT IT HAD DAMAGED SOME OF THE
 3 WHEEL WELL ON FURTHER INSPECTION. I EVENTUALLY GOT EVERYTHING FIXED
 4 (ABOUT FOUR WEEKS LATER) AND THE BILL WAS \$4200.00 WHICH I PAID. HOWEVER,
 5 AFTER MUCH THOUGHT AND CONSIDERATION, I BELIEVE THE CONTROL ARM IS OF A
 6 FAULTY DESIGN AND THIS SHOULD HAVE BEEN COVERED BY TESLA. IN FACT, I HAVE
 7 A PICTURE OF THE CONTROL ARM WHILE IT WAS ON THE CAR AND I AM IN
 8 POSSESSION OF IT AND ALL THE DAMAGED PARTS. I DO NOT BELIEVE THAT MY TESLA
 9 SHOULD HAVE SUFFERED SO MUCH DAMAGE FOR A RELATIVELY SMALL POTHOLE
 10 AND BELIEVE THE HEAVY LITHIUM BATTERY COUPLED WITH THE IMPROPERLY
 11 ENGINEERED CONTROL ARM CAUSED THE PROBLEM. I ALSO NOTE MINE IS NOT THE
 12 ONLY COMPLAINT OF THIS NATURE AS I HAVE SEEN OTHER COMPLAINTS IN ONLINE
 13 BLOGS AND FEEL THAT THIS MAY BE A SYSTEMIC PROBLEM WITH TESLA'S CONTROL
 14 ARMS. IT IS ALSO IMPORTANT TO NOTE THAT I PURCHASED THE TESLA FOR MANY
 15 REASONS, BUT ONE OF THE MAIN REASONS WAS ITS SAFETY RECORD AND RATINGS
 16 BY THE NHTSA WHO I HAVE COPIED ON THIS EMAIL. AFTER LOSING MOMENTARY
 17 CONTROL FROM HITTING SUCH A SMALL POTHOLE WHICH PUT ME INTO THE
 18 ONCOMING LANE, (I WAS LUCKY THERE WAS NOT ONCOMING TRAFFIC) I DO NOT
 19 HAVE THE CONFIDENCE IN THE CAR THAT I ONCE DID.

1 Affected Product

Vehicle

15 MAKE	16 MODEL	17 YEAR
18 TESLA	19 MODEL S	20 2016

21 December 18, 2016 NHTSA ID NUMBER: 10936088

22 Components: WHEELS, SUSPENSION

23 **NHTSA ID Number:** 10936088

24 **Incident Date** December 18, 2016

25 **Consumer Location** BRONXVILLE, NY

26 **Vehicle Identification Number** 5YJSA1E2XGF****

Summary of Complaint

27 **CRASHNo**

28 **FIRENo**

02
 Class Action Complaint
 Case No.

1 **INJURIES0**

2 **DEATHS0**

3 LEFT WHEEL FELL OFF FROM WHAT APPEARS TO BE A BROKEN BOLT CONTROLLING
4 LOWER CONTROL ARM. THE CAR WAS BACKING INTO A DRIVEWAY AT LOW SPEEDS
5 WITH A SUDDEN THUD. THE LEFT FRONT WAS RESTING ON THE TIRE WITH THE TIRE
TURNED AT 90 DEGREES. THE LOWER CONTROL ARM WAS NO LONGER ATTACHED
WITH THE BOLT BROKEN. SEE PICTURES.

6 **1 Affected Product**

7 **Vehicle**

8 MAKE	9 MODEL	YEAR
10 TESLA	11 MODEL S	12 2016

13 November 3, 2016 NHTSA ID NUMBER: 10924050

14 Components: SUSPENSION

15 NHTSA ID Number: 10924050

16 Incident Date October 10, 2016

17 Consumer Location SAINT LOUIS, MO

18 Vehicle Identification Number 5YJSA1E26GF****

19 **Summary of Complaint**

20 **CRASHNo**

21 **FIRENo**

22 **INJURIES0**

23 **DEATHS0**

24 BALL JOINT EQUIVALENT FRACTURED WHILE PULLING OUT OF GARAGE. FRONT END
25 FELL, NEARLY BRINGING TIRE INTO CONTACT WITH WHEEL WELL.

26 **1 Affected Product**

27 **Vehicle**

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL S	6 2016

7
June 21, 2016 NHTSA ID NUMBER: 10875120

8
Components: SUSPENSION

9
NHTSA ID Number: 10875120

10
Incident Date June 1, 2016

11
Consumer Location SAN JOSE, CA

12
Vehicle Identification Number 5YJSA1E24GF****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
2016 TESLA MODEL S. CONSUMER WRITES IN REGARDS TO VEHICLE SUSPENSION/
FRONT WHEEL CONTROL ARM ISSUES. *SMD

19
20
THE CONSUMER STATED THE CONTROL ARM BROKE, WHEN HE ATTEMPTED TO BACK
OUT OF HIS GARAGE. *JB

21
1 Affected Product

22
Vehicle

23 MAKE	24 MODEL	25 YEAR
26 TESLA	27 MODEL S	28 2016

1 [September 22, 2020 NHTSA ID NUMBER: 11360383](#)

2 [Components: STEERING, SUSPENSION](#)

3 NHTSA ID Number: 11360383

4 **Incident Date** September 21, 2020

5 **Consumer Location** ANN ARBOR, MI

6 **Vehicle Identification Number** 5YJSA1E13HF****

7 **Summary of Complaint**

8 **CRASHNo**

9 **FIRENo**

10 **INJURIES0**

11 **DEATHS0**

12 DRIVING HOME FROM SERVICE ON THE HIGHWAY, WHILE ON A STRAIGHT SECTION, I
13 WAS FORCED TO USE MY BRAKES TO SLOW DOWN FOR ANOTHER CAR AND BAM!
14 CATASTROPHIC FAILURE OF THE DRIVERS SIDE FRONT CONTROL ARM. INTERESTING
15 THING THOUGH... I'D ADDRESSED A CONCERN ABOUT A GRINDING NOISE FROM UP
FRONT, AT A PRIOR SERVICE, AND THEY INFORMED ME THAT THE SOUND WAS
NORMAL BASED ON THE HIGH PERFORMANCE BRAKES. WHICH I KNEW SOUNDED
WRONG. NOW THIS? SEEMS A BIT SHADY TO ME.

16 **1 Affected Product**

17 **Vehicle**

18 MAKE	19 MODEL	20 YEAR
21 TESLA	22 MODEL S	23 2017

24 [August 29, 2020 NHTSA ID NUMBER: 11351962](#)

25 [Components: STEERING, SUSPENSION, WHEELS](#)

26 NHTSA ID Number: 11351962

27 **Incident Date** August 29, 2020

28 **Consumer Location** LAKE VIEW TERRACE, CA

Vehicle Identification Number 5YJSA1E21HF****

1 **Summary of Complaint**

2 **CRASHNo**

3 **FIRENo**

4 **INJURIES0**

5 **DEATHS0**

6 I WAS BRAKING FROM ABOUT 35 MPH TO MAKE A 90 DEGREE RIGHT HAND TURN INTO
7 DRIVEWAY. THERE WAS A SUDDEN GRINDING NOISE AND SHUDDERING. I CONTINUED
8 TO BRAKE AND TURN UNTIL I WAS SAFELY IN THE DRIVEWAY. A QUICK INSPECT
REVEALED SOME DAMAGE TO THE WHEEL WELL, BUT THE CAR SEEM DRIVE-ABLE, SO
I VERY SLOWLY LIMPED INTO A PARKING SPOT.

9 I'VE READ ENOUGH POSTS FROM OTHER PEOPLE HAVING THIS SAME FAILURE TO
10 IMMEDIATELY SUSPECT A SUSPENSION FAILURE. WHEN PARKED IT WAS EASY TO
11 IDENTIFY THE SAME FAILURE I'VE SEEN ALL OVER THE INTERNET. CONTROL ARM
12 FAILED, RESULTING THE WHEEL TOUCHING THE WHEEL WELL AS I WAS BRAKING,
BURNING THROUGH TO THE METAL AND GOUGING MY WHEEL.

13 **1 Affected Product**

14 **Vehicle**

15 MAKE	16 MODEL	17 YEAR
18 TESLA	19 MODEL S	20 2017

21 [August 7, 2020 NHTSA ID NUMBER: 11343889](#)

22 [Components: SUSPENSION](#)

23 **NHTSA ID Number:** 11343889

24 **Incident Date** August 1, 2020

25 **Consumer Location** TEMECULA, CA

26 **Vehicle Identification Number** 5YJSA1E23HF****

27 **Summary of Complaint**

28 **CRASHNo**

FIRENo

1 **INJURIES0**

2 **DEATHS0**

3 I JUST BOUGHT THE 2017 90D A MONTH AND HALF AGO AT 59K MILES NOW AT 65K
 4 MILES AND HEARD A POP AS I WAS PULLING AWAY FROM THE CURB AT 3-5 MPH.
 5 THOUGHT IT SOUNDED WEIRD BUT MAY HAVE JUST BEEN A WATER BOTTLE OR
 6 SOMETHING. UNFORTUNATELY I WAS ON A ROAD TRIP BACK HOME FROM THE BAY
 7 AREA WITH MY DAUGHTER.

8 I STOPPED ON THE FREEWAY FOR A BATHROOM BREAK AND HEARD MY FRONT
 9 WHEEL DRIVERS SIDE GRINDING AGAINST THE WHEEL WELL. AFTER SPECULATION IT
 10 LOOKED AS THOUGH WHILE FACING THE WHEEL IT OFFSET TO THE RIGHT. I ASKED
 11 FOR A CALL FROM THE SC VIA TEXT AFTER MAKING AN APPOINTMENT AND HE SAID
 12 TO BRING MY CAR IN ASAP AS IT COULD BE A SAFETY ISSUE. AN HOUR LONGER INTO
 13 DRIVING I BRAKED LIGHTLY BECAUSE A CAR CAME INTO MY LANE ON I-5 AND THEN
 14 THERE WAS A LOUDER POP, GRINDING NOISE FOLLOWED BY A LOUD SCREECH, AND
 15 STEAM COMING FROM THE WHEEL WELL. I IMMEDIATELY PULLED OVER AND HAD
 16 THE CAR TOWED TO COSTA MESA SERVICE CENTER WITH ME, MY 5 YEAR OLD, AND
 17 GIRLFRIEND IN A TOW TRUCK.

18 SC SAID THAT THERE'S SIGNS OF IMPACT AND THAT IT CANNOT BE COVERED UNDER
 19 WARRANTY. THOUGH THEIR "SIGNS OF IMPACT" ARE CLEARLY WEAR AND TEAR AND
 20 CURB RASH FROM PARKING MARGINS(WHICH I'M POSITIVE WERE THERE WHEN THE
 21 CAR WAS SOLD TO ME) I DIDN'T HIT ANYTHING AND IF I DID THE 4 CARS IN FRONT OF
 22 ME WOULD'VE TOO.

23 AND EVEN MORE UNFORTUNATELY TESLA STARTED THE REPAIRS BEFORE
 24 INSURANCE GOT OUT THERE AND NOW THEY'RE TALKING ABOUT NOT COVERING IT.
 25 SO I MAY BE OUT 5K THAT I WAS QUOTED BECAUSE TESLA DECIDED IT'D BE GREAT
 26 TO REPLACE THE FRONT BUMPER AND GET IT PAINTED

27 **1 Affected Product**

28 **Vehicle**

21 MAKE	22 MODEL	23 YEAR
24 TESLA	25 MODEL S	26 2017

27 [**February 21, 2020 NHTSA ID NUMBER: 11310679**](#)

28 [**Components: SUSPENSION, WHEELS**](#)

29 **NHTSA ID Number:** 11310679

1 **Incident Date** February 21, 2020

2 **Consumer Location** LOMA LINDA, CA

3 **Vehicle Identification Number** 5YJSA1E11HF****

4
5 **Summary of Complaint**

6 **CRASHNo**

7 **FIRENo**

8 **INJURIES0**

9 **DEATHS0**

10 MY CAR IS ONLY 2 YRS OLD AND WHILE BACKING OUT OF A PARKING SPACE IN A
11 PARKING STRUCTURE, I FELT A LIFT THEN LOWERING OF FRONT DRIVER'S SIDE
12 WHEEL (LIKE GOING OVER SPEED BUMP, BUT THERE WAS NONE) THEN WOULD
13 BARELY DRIVE. TOLD THAT THE DRIVER'S FRONT LOWER CONTROL ARM IS BROKEN.

14 **1 Affected Product**

15 **Vehicle**

16 MAKE	17 MODEL	18 YEAR
19 TESLA	20 MODEL S	21 2017

22 December 11, 2019 NHTSA ID NUMBER: 11288480

23 Components: SUSPENSION

24 **NHTSA ID Number:** 11288480

25 **Incident Date** December 7, 2019

26 **Consumer Location** SACRAMENTO, CA

27 **Vehicle Identification Number** 5YJSA1E14HF****

28
29 **Summary of Complaint**

30 **CRASHNo**

31 **FIRENo**

1 INJURIES0**2 DEATHS0**

3 PULLING AWAY FROM A STOP IN A PARKING LOT, THERE WAS A NEW RATTLE AT THE
 4 LEFT FRONT OF THE CAR, BUT THE CAR DROVE NORMALLY. MADE A RIGHT TURN
 5 ONTO A STREET AND SLOWLY APPROACHED AN INTERSECTION. STOPPING AT THE
 6 INTERSECTION, THERE WAS A LOUD THUNK. GOT OUT AND SAW THE FRONT LEFT
 7 TIRE WAS OFF-CENTER IN THE WHEEL WELL AND TOUCHING THE REAR WHEEL WELL
 8 WALL. DROVE THE CAR 100 FEET BACK INTO THE PARKING LOT. CAR WAS TOWED TO
 9 TESLA SERVICE CENTER. TESLA REPLACED BOTH FORE LINK ASSEMBLIES. THERE IS A
 NOTATION ON THE REPAIR INVOICE THAT "FOUND BOTH FORE LINKS REVISION A'S.
 REPLACED BOTH FORE LINKS WITH REVISION B'S." I STRONGLY FEEL THAT THIS
 SHOULD HAVE BEEN A RECALL, AS I FIND MANY BLOG ENTRIES WHERE THE SAME
 PART HAS FAILED OVER THE PAST FEW YEARS AND TESLA REPLACED THE ONE THAT
 HAD NOT FAILED WITH THE NEW REVISION.

10 1 Affected Product**11 Vehicle**

12 MAKE	13 MODEL	14 YEAR
15 TESLA	16 MODEL S	2017

17 [November 18, 2019 NHTSA ID NUMBER: 11280758](#)

Components: SUSPENSION

19 **NHTSA ID Number:** 11280758

20 **Incident Date:** November 15, 2019

21 **Consumer Location:** LIBERTY HILL, TX

22 **Vehicle Identification Number:** 5YJSA1E24HF***

24 Summary of Complaint

25 **CRASHNo**

26 **FIRENo**

27 INJURIES0**28 DEATHS0**

1 WHEN BACKING OUT OF A PARKING SPOT AND TURNING THE WHEEL TO THE LEFT (AT
 2 A VERY LOW RATE OF SPEED). I HEARD A LOUD POP. THE LEFT FRONT WHEEL FELT
 3 LIKE IT WAS IN A BIND AS WELL AS MAKING A LOUD GRINDING SOUND. THE CAR HAD
 4 TO BE TOWED TO THE TESLA SERVICE CENTER. THE TECHNICIAN DIAGNOSED THE
 5 PROBLEM AS A BROKEN CONTROL ARM. HE COULD NOT TELL ME WHAT CAUSED THE
 6 ARM TO BREAK. THIS COULD HAVE BEEN DISASTROUS IF DRIVING ON THE ROAD AT
 7 NORMAL SPEED.

1 Affected Product

Vehicle

8 MAKE	9 MODEL	YEAR
10 TESLA	11 MODEL S	12 2017

13 October 3, 2019 NHTSA ID NUMBER: 11265885

14 Components: SUSPENSION

15 NHTSA ID Number: 11265885

16 Incident Date September 17, 2019

17 Consumer Location IRVINE, CA

18 Vehicle Identification Number 5YJSA1E28HF****

19 **Summary of Complaint**

20 **CRASHNo**

21 **FIRENo**

22 **INJURIES0**

23 **DEATHS0**

24 TL* THE CONTACT OWNS A 2017 TESLA MODEL S. WHILE THE CONTACT WAS EXITING
 25 THE DRIVEWAY, THE SUSPENSION ARM FRACTURED ON THE DRIVER'S SIDE OF THE
 26 VEHICLE. THE DEFECT LED TO SCRATCHES ON THE INSIDE OF THE FRONT DRIVER'S
 27 SIDE WHEEL. THERE WERE NO WARNING INDICATORS ILLUMINATED. THE CONTACT
 28 NOTIFIED THE MANUFACTURER OF THE FAILURE AND WAS INFORMED THAT
 SOMETHING MAY HAVE STRUCK THE VEHICLE AND CAUSED THE SUSPENSION
 FAILURE. THE CONTACT DISPUTED THIS CLAIM. THE CONTACT TOOK THE VEHICLE TO
 AN INDEPENDENT MECHANIC AND THEY REFUSED TO SERVICE THE VEHICLE UNTIL

1 THE CONTACT COULD PROVIDE A COLLISION REPORT. THE DEALER WAS NOT
2 CONTACTED. THE VEHICLE WAS NOT REPAIRED. THE FAILURE MILEAGE WAS 30,300.
3

4 **1 Affected Product**

5 **Vehicle**

6 MAKE	7 MODEL	8 YEAR
9 TESLA	10 MODEL S	11 2017

12 [August 19, 2019 NHTSA ID NUMBER: 11244971](#)

13 **Components: SUSPENSION**

14 NHTSA ID Number: 11244971

15 Incident Date August 15, 2019

16 Consumer Location BEVERLY HILLS, CA

17 Vehicle Identification Number 5YJSA1E18HF****

18 **Summary of Complaint**

19 **CRASHNo**

20 **FIRENo**

21 **INJURIES0**

22 **DEATHS0**

23 I WAS DRIVING ON A CITY STREET WHEN A CAR CUT INTO MY LANE, SO I SLAMMED
24 ON THE BRAKES REAL HARD, AND I HEARD A LOUD SNAPPING SOUND AND GRINDING
25 NOISE AFTERWARDS.

26 THE LOWER CONTROL ARM ON THE FRONT PASSENGER SIDE IS NOW POPPED OUT OF
27 PLACE.

28 I HAVE SEARCHED ONLINE AND FOUND THAT THIS ISSUE IS NOT UNIQUE TO ME,
THERE ARE CASES OF ACCIDENTS BECAUSE OF THIS ISSUE.

I WAS LUCKY THAT THIS HAPPENED WHEN I WAS NOT DRIVING ON THE FREEWAY,

Case No.

1 TESLA SAYS IT IS NOT UNDER WARRANTY AND THERE IS NO RECALL FOR THIS ISSUE.
 2
 3

1 Affected Product

Vehicle

4 MAKE	5 MODEL	YEAR
6 7 TESLA	8 MODEL S	9 2017

10 [July 22, 2019 NHTSA ID NUMBER: 11233752](#)

11 [Components: SUSPENSION](#)

12 NHTSA ID Number: 11233752

13 Incident Date July 18, 2019

14 Consumer Location FRANKLIN, TN

15 Vehicle Identification Number 5YJSA1E22HF****

16 **Summary of Complaint**

17 CRASHNo

18 FIRENo

19 INJURIES0

20 DEATHS0

21 AS I WAS BACKING OUT OF MY DRIVEWAY AT LOW SPEED IN MY 2017 TESLA MODEL S
 22 90D (16,500 MILES) WITH THE WHEELS TURNED TO THE LEFT, I HEARD A LOUD BANG. I
 23 THOUGHT I RAN OVER SOMETHING SO GOT OUT TO LOOK AND SAW NOTHING. AS I
 24 PROCEEDED TO DRIVE THE CAR, IT DROVE SMOOTHLY AT FIRST BUT I COULD HEAR A
 25 SCRAPING OR RUBBING SOUND AS I PUT ON THE BRAKES OR HIT THE ACCELERATOR
 26 AFTER BRAKING. AFTER PARKING AT MY DESTINATION, WHEN I WAS BACKING OUT
 27 TO LEAVE I HEARD AND FELT RUMBLING AND SCRAPPING ON THE LEFT FRONT
 28 DRIVERS WHEEL. I LOOKED AND SAW THAT THE LEFT FRONT WHEEL LINER WAS
 BROKEN AND COLLAPSED AND THE TIRE WAS RUBBING ON THE WHEEL WELL. I
 PUSHED THE LINER INTO PLACE AND DROVE DIRECTLY TO TESLA SERVICE (3 MILES
 AWAY) NOTICING MY BRAKES WHERE SLIPPING WHEN APPLIED. ON ARRIVAL THE
 TECHNICIAN INFORMED ME MY LEFT FRONT CONTROL ARM WAS BROKEN AND
 ASKED ME IF I HAD BEEN IN AN ACCIDENT. I TOLD HIM NO, AND HE SAID THEY

1 WOULD NEED TO ELEVATE THE CAR TO LOOK AT EXACTLY WHAT HAPPENED. THE
2 LEFT CONTROL ARM FORE LINK HAD SPONTANEOUSLY FAILED. TESLA FIXED BOTH
3 THE FAILED LEFT AND THE INTACT RIGHT UNDER WARRANTY ALONG WITH THE
4 WHEEL LINER, ALIGNED THE CAR AND IT IS NOW RUNNING NORMAL. I HAVE SEEN
MANY COMPLAINTS OF THE PREMATURE FAILURE OF THE FORE LINK ASSEMBLY IN
THE MODEL S AND BELIEVE THIS IS A SYSTEMIC PROBLEM.

5 **1 Affected Product**

6 **Vehicle**

7 MAKE	8 MODEL	9 YEAR
10 TESLA	11 MODEL S	12 2017

13 June 15, 2019 NHTSA ID NUMBER: 11220236

14 Components: STEERING, SUSPENSION, WHEELS

15 **NHTSA ID Number:** 11220236

16 **Incident Date** June 13, 2019

17 **Consumer Location** PLEASANTON, CA

18 **Vehicle Identification Number** 5YJSA1E28HF****

19 **Summary of Complaint**

20 **CRASHNo**

21 **FIRENo**

22 **INJURIES0**

23 **DEATHS0**

24 BACKING INTO A PARKING SPOT THE DRIVER SIDE FRONT FORE LINK FAILED WHILE
TURNING THE STEERING WHEEL. THIS DAMAGED THE WHEEL, TIRE AND WHEEL
WELL.

25 **1 Affected Product**

26 **Vehicle**

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL S	6 2017

7
April 8, 2019 NHTSA ID NUMBER: 11194559

8
Components: SUSPENSION

9
NHTSA ID Number: 11194559

10
Incident Date April 7, 2019

11
Consumer Location LONG BEACH, CA

12
Vehicle Identification Number 5YJSA1E2HF1****

13
Summary of Complaint

14
CRASHNo

15
FIRENo

16
INJURIES0

17
DEATHS0

18
WHEN BACKING OUT OF A PARKING SPACE YESTERDAY, THERE WAS A LOUD
19
GRINDING SOUND AND THE CAR WOULD NOT MOVE. AFTER MOVING IT BACK A FEW
20
FEET, THE CAR WOULD GO SO I DROVE IT A MILE HOME VERY SLOWLY AND CALLED
21
FOR A TOW. THEY TOOK THE CAR AWAY YESTERAY. WHEN MOVING THE CAR TO THE
TOW TRUCK, A THREE-INCH ALUMINUM PIECE TORN ON BOTH ENDS AND BADLY
MANGLED FELL OUT.

22
1 Affected Product

23
Vehicle

24 MAKE	25 MODEL	26 YEAR
27 TESLA	28 MODEL S	29 2017

1 April 6, 2019 NHTSA ID NUMBER: 11194264
2 **Components: SUSPENSION**

3 **NHTSA ID Number:** 11194264

4 **Incident Date** March 25, 2019

5 **Consumer Location** SANTEE, CA

6 **Vehicle Identification Number** 5YJSA1E17HF****

7 **Summary of Complaint**

8 **CRASHNo**

9 **FIRENo**

10 **INJURIES0**

11 **DEATHS0**

12 WHILE REVERSING MY VEHICLE OUT OF MY DRIVEWAY WITH THE STEERING WHEEL
13 TURNED ALL THE WAY TO THE LEFT, A LOUD SNAPPING SOUND WAS HEARD FROM
14 THE FRONT DRIVER'S SIDE TIRE. UPON INSPECTION, THE CAUSE OF THE SOUND WAS
15 NOT VISIBLE.

16 I CONTINUED DRIVING A FEW MILES WHILE LISTENING FOR ANY CHANGES TO THE
17 VEHICLE. A FEW MILES DOWN THE ROAD, I PREPARED TO ENTER THE FREEWAY. AS I
18 DEPRESSED THE BRAKE PEDAL, THERE WAS A LOUD GRINDING NOISE EMITTING
19 FROM THE FRONT OF THE VEHICLE.

20 I PULLED THE VEHICLE OFF TO THE SIDE OF THE ROAD AND CALLED TESLA ROADSIDE
21 ASSISTANCE. I ADVISED THEM OF MY OBSERVATIONS AND WAS ISSUED A
22 PRELIMINARY DIAGNOSIS OF DEBRIS IN THE BRAKE CALIPER. I PROCEEDED TO DRIVE
23 MY CAR TO A HIGH-PRESSURE WASHING STATION TO REMOVE THE DEBRIS.

24 WHILE PARKING AT MY DESTINATION, I NOTICED MY STEERING WHEEL REQUIRED A
25 BIT MORE FORCE TO DURN THE WHEEL; AS I WAS ENCOUNTERING MORE RESISTANCE
26 THAN USUAL WHILE STEERING THE VEHICLE.

27 I GOT OUT AND LOOKED AT THE FRONT DRIVER'S SIDE WHEEL WHILE THE STEERING
28 WHEEL WAS TURNED ALL THE WAY TO THE LEFT. I NOTICED A HOLE
29 APPROXIMATELY 2" TALL AND 1" WIDE HAD BEEN WORN THROUGH THE WHEEL WELL
30 LINER BEHIND THE REAR OF THE TIRE. THROUGH THE HOLE, I SAW SOME WIRE
31 COVERINGS AND A PIECE OF THE VEHICLE'S ALUMINUM FRAME. I ALSO OBSERVED
32 THE WHEEL WOULD RUB UP AGAINST THE EXPOSED METAL FRAME WHEN THE
33 STEERING WHEEL WAS TURNED.

34 I CALLED TESLA ROADSIDE AGAIN AND UPDATED THEM OF MY FINDINGS. THE CAR

WAS TOWED TO THE SERVICE CENTER AND SUBSEQUENTLY DIAGNOSED WITH A BROKEN FORE-LINK ON THE FRONT DRIVER'S SIDE SUSPENSION. THE FORE-LINKS ON BOTH SIDES OF THE VEHICLE WERE REPLACED, AS WELL AS THE WHEEL WELL LINER.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

December 25, 2018 NHTSA ID NUMBER: 11163379

Components: SUSPENSION

NHTSA ID Number: 11163379

Incident Date October 13, 2018

Consumer Location AUSTIN, TX

Vehicle Identification Number 5YJSA1E47HF****

Summary of Complaint

CRASHYes

FIRENo

INJURIES 0

DEATHS 0

I WAS DRIVING THROUGH AN EXIT RAMP AND I FELT SOMETHING BREAK ON THE VEHICLE AND THEN WHEN I TRIED TO TURN THE VEHICLE, IT CONTINUED TO PUSH STRAIGHT. AFTER FURTHER REVIEW, THE REAR TOE ARM OF THE DRIVERS SIDE REAR SUSPENSION BROKE. THIS FAILURE CAUSED THE REAR WHEEL TO BE ABLE TO TURN LEFT AND RIGHT.

1 Affected Product

Vehicle

1 MAKE	2 MODEL	3 YEAR
4 TESLA	5 MODEL S	6 2017

7 February 3, 2018 NHTSA ID NUMBER: 11066755

8 Components: SUSPENSION, WHEELS

9 **NHTSA ID Number:** 11066755

10 **Incident Date** January 29, 2018

11 **Consumer Location** Unknown

12 **Vehicle Identification Number** 5YJSB7E22HF****

13 **Summary of Complaint**

14 **CRASHNo**

15 **FIRENo**

16 **INJURIES0**

17 **DEATHS0**

18 ON MONDAY MORNING(29.01.18) MY TESLA BROKE DOWN. THE DRIVER'S SIDE REAR
TYRE DISLODGED FROM THE SUSPENSION WHILE I WAS REVERSING INTO MY BAY.

19 THE ISSUES BEGAN FROM THIS POINT

20 1 AT ONLY 4526 MILES AND 122 DAYS OF AGE, ENDING UP WITH 3 WHEELS IS SIMPLY
21 UNACCEPTABLE.

22 2 THEN ENSUED THE CONFUSION: I HAD TAKEN BREAKDOWN COVER FROM MY
23 INSURANCE COMPANY INCLUSIVE OF COURTESY CAR. THIS WAS DESPITE THE SALES
24 PITCH RECOMMENDING TESLA ROADSIDE ASSISTANCE. THE MOMENT I CALLED
25 TESLA IT WAS A CASE OF FIGHTING WITH THEM REGARDING WHOSE FAULT IT WAS
26 RATHER THAN WHAT HAPPENS NEXT. I DIDN'T FEEL SUPPORTED AT ALL. TESLA
27 SERVICE AND ROADSIDE ASSISTANCE WERE CONFIDENT THAT THIS WAS A CASE FOR
28 THE INSURERS

29 3 SO I CALLED MY INSURANCE COMPANY . THEY QUICKLY PICKED UP THE CAR AND
30 HAVE DELIVERED THE SAME TO TESLA MANCHESTER SOUTH, WHERE I HAD
31 PURCHASED IT. WITH A PARTING SHOT THAT IF THIS RECURS IN THE NEXT 28 DAYS

1 THEY WILL NOT HELP.

2 4 HENCE AS I AM SURE YOU WILL UNDERSTAND, I HAVE BEEN LEFT BY TESLA ON THE
3 WAYSIDE, QUITE LITERALLY AND FIGURATIVELY. I AM FORTUITOUS TO BE IN ONE
PIECE, WRITING THIS MESSAGE TO YOU. THINGS COULD HAVE BEEN A LOT WORSE....

4
5 I DRIVE 25 MILES DAILY EACH WAY TO WORK AND BACK. AND MOSTLY THIS IS ON
THE MOTORWAY.

6 5 NOW WHERE DID WE GO WRONG?

7
8 THUS COULD POTENTIALLY BE A MANUFACTURING DESIGN ISSUE

9 BUT MY CONFIDENCE IN TESLA HAS TAKEN A BEATING.

10 MY MAIN CONCERN AT THE MOMENT IS: AM I FEELING SAFE IN THIS VEHICLE? THE
11 ANSWER IS NO.

12 **1 Affected Product**

Vehicle

13 14 MAKE	15 MODEL	16 YEAR
17 TESLA	18 MODEL S	19 2017

21 **C. Tesla's Active Concealment of the Suspension Defect**

22 31. Despite its knowledge of the Defect, Tesla has gone to great lengths to actively conceal
its knowledge of the Suspension Defect. Tesla has not performed a recall to correct the Suspension
Defect in the United States. Instead, it has issued several Technical Service Bulletins to address
customers complaints of the Defect. Tesla, however, has attempted to avoid the financial fallout that
would result from recalling the Class Vehicles by downplaying dangerousness of the Defect and the
scope of vehicles affected by it. In reality, these TSBs are truly aimed at addressing a uniform safety
defect in front and rear suspension components that equally affects all of the Class Vehicles.

1 **1. Tesla Used Technical Service Bulletins to Downplay the Defect**

2 32. Tesla has issued three separate Technical Service Bulletins addressing the Suspension
 3 Defect, but each of these technical service bulletins fail to address the full scope of the vehicles affected
 4 by problems and ignores the safety implications.

5 33. On March 16, 2015, Tesla issued TSB-13-31-003 for the 2012-2013 Model S vehicles,
 6 stating:

7 The front lower control arm ball joints might develop greater free play
 8 than is expected. This can result in a clicking or clunking sound from the
 9 front suspension when driving over large bumps. ***If left uncorrected, the
 ball joints could be subject to accelerated wear.*** Over time, the clicking or
 10 clunking noises will become louder as the ball joint wear increases,
 leading to required premature replacement of components.

11 (Ex. 4, TSB-13-31-003.)

12 34. About two years later, Tesla issued TSB-17-31-001 for the 2016 Model S and Model X
 13 stating, that “[s]ome Model S and Model X vehicles may have been manufactured with front suspension
 14 fore links that may not meet Tesla’s strength specifications.” (See Ex. 5 TSB-17-31-001.) Tesla then
 15 downplays the safety implications of the identified suspension problems, explaining only that “[i]n the
 16 event of link failure, the driver can still maintain control of the vehicle but the tire may contact the wheel
 17 arch liner.” (See *id.*)

18 35. On January 3, 2019, Tesla issued TSB-19-31-001 for the 2013 and 2014 Model S, stating
 19 that “[o]n certain Model S vehicles, lower rear control arm might crack, causing excessive negative
 20 camber of the rear suspension.” (See Ex. 6, TSB-19-31-001.)

21 36. On information and belief, Tesla issued each of the TSBs above in a piecemeal fashion to
 22 avoid an all-out recall of the Class Vehicles. On further information and belief, Tesla has silently
 23 redesigned and strengthened the suspension components subject to failure as a result of the Suspension
 24 Defect but has failed to inform Plaintiff and the Class of these. Moreover, despite having the parts
 25 necessary to correct the Suspension Defect, Tesla continues to conceal such information from
 26 prospective purchasers of its vehicles and existing Class Vehicles owners. Indeed, this is evident from
 27 Plaintiff’s own experience.

37. As stated above, Tesla issued TSB-19-31-001 admitting that the rear lower control arms on the 2013 and 2014 vehicles are prone to cracking. In that TSB, Tesla instructs its service advisors to use lower rear control arms bearing part number 1027459-99-A for repairs. (*See Ex. 6.*)

38. TSB-19-31-001 is not only evidence of Tesla's knowledge of the defect, but when analyzed more closely, also demonstrates Tesla's fraudulent conduct and active concealment of the Suspension Defect aimed at avoiding its warranty obligations to Plaintiff and the Class members.

39. In Plaintiff's case, when his Tesla 2016 Model S experienced failure of the lower rear control arm, Tesla's service advisers replaced the failed lower rear control arm on his 2016 Model S. To repair Plaintiff's vehicle, Tesla used the same lower control arm called for by TSB-19-31-001. (See Ex. 7., Tesla Invoice.) From this, it would appear that Tesla is aware of the fact that TSB 19-31-001 should be expanded to cover later model years including the 2016 Model S but is failing to acknowledge this. Indeed, Tesla's financial incentives to keep this information concealed and limit the scope of the TSB is high. While many, if not all of the 2013 and 2014 Model S vehicles are out of warranty, many later model years—like Plaintiff's 2016 Model S—are still within their warranty periods.

2. Tesla Concealed the Suspension Defect by Coercing Customers to Sign Non-Disclosure Agreements

In or around 2016, there were online reports that Tesla was requiring its customers to sign non-disclosure agreements in exchange for “goodwill repairs” to correct the failed suspension components of their vehicles.⁴ Tesla ultimately ceased this practice under significant pressure from NHSTA. However, on information and belief, Tesla’s use of non-disclosure agreements has suppressed the number of NHSTA complaints concerning the Suspension Defect.

VI PLAINTIFF-SPECIFIC ALLEGATIONS

40. On the evening of February 2, 2020, Plaintiff Williams was driving his 2016 Model S (hereinafter “the vehicle”) home from work on an interstate highway at approximately 65 miles per

⁴ See <https://www.nytimes.com/2016/06/11/business/tesla-motors-model-s-suspension.html> (Last Accessed November 20, 2020); see also <https://dailykanban.com/2016/06/08/tesla-suspension-breakage-not-crime-coverup/> (Last Accessed November 20, 2020).

1 hour. During the trip, Plaintiff Williams noticed that there was a wobbling sensation coming from the
 2 vehicle that he had not experienced before.

3 41. Upon arriving at his residence in Alameda, California, Plaintiff Williams slowly backed
 4 into a parallel parking spot, and while doing so, he heard a grinding noise emit from the vehicle.
 5 Plaintiff inspected the vehicle and discovered that the rear passenger side lower control arm had broken
 6 off the steering knuckle and caused the wheel to fold inward.

7 42. At this time, Plaintiff's vehicle had 62,602 miles on its odometer and was covered by
 8 Tesla's Used Vehicle Limited Warranty period.



24 43. On February 3, 2020, Plaintiff had the vehicle towed to Tesla's service center in
 25 Berkeley, California for repairs. At Tesla's service center, Plaintiff spoke with one the service advisors,
 26 Matt Brown, and expressed that he believed the rear lower control arm had failed because of a defect
 27 and that it should be repaired or replaced under warranty.

1 44. After inspecting the vehicle, Tesla informed Plaintiff that it would not cover the
 2 necessary repairs to the vehicle through the warranty. Tesla told Plaintiff that the damage had not
 3 resulted from a defect, but from a pothole or damage caused by the previous owner.

4 45. Accordingly, Tesla required Plaintiff to pay \$2,090.00 out-of-pocket for all of the
 5 necessary repairs to the vehicle resulting from the Suspension Defect.

6 46. The defects in the design, manufacture, configuration, and assembly of the subject
 7 vehicles were a substantial factor in causing Plaintiff's vehicles to experience suspension failure.

8 47. Prior to the sale and distribution of the Class Vehicles, Defendants TESLA and DOES 1
 9 through 100, inclusive, knew the Class Vehicles were in a defective condition as previously described.
 10 Further, Defendants, through their officers, directors and managing agents, had prior notice and
 11 knowledge from several sources, including, but not limited to, the results of a multiplicity of crash tests
 12 run prior to the date of said accident, internal memoranda and correspondence, and industry
 13 publications, as well as notice of numerous crashes and serious injuries caused by the design of the
 14 subject vehicles, that the vehicles were defective and presented a substantial and unreasonable risk of
 15 harm to the American motoring public, including Plaintiff, in that said defects unreasonably subjected
 16 occupants to injury.

17 48. Had Plaintiff been informed of the Suspension Defect in the Class Vehicles, he would not
 18 have purchased or leased his Class Vehicles, or he would have paid substantially less for his own
 19 vehicle.

20 49. As a result of the conduct of said Defendants, Plaintiff incurred property and other
 21 pecuniary losses as a result of the actions and inactions herein described.

22 50. As a further result of the conduct of said Defendants, Plaintiff suffered both past and
 23 future economic damages as a result of the actions and inactions herein described.

24 **VII TOLLING OF STATUTES OF LIMITATIONS**

25 51. Any applicable statute(s) of limitations have been tolled by Tesla's knowing and active
 26 concealment and denial of the facts alleged herein. Plaintiff and Class Members could not have
 27 reasonably discovered the true, latent nature of the Suspension Defect until shortly before this class
 28 action litigation was commenced.

52. In addition, even after Plaintiff and Class Members contacted Tesla and sought repairs for the Suspension Defect, Tesla routinely told them that the Class Vehicles were not defective, as set forth above, even though true reason for the resulting suspension failures resulted from the Suspension Defect.

53. Tesla was and remains under a continuing duty to disclose to Plaintiff and the members of the Class the true character, quality, and nature of the Class Vehicles, that they will require costly repairs, pose safety concerns, and diminish the resale value of the Class Vehicles. As a result of Tesla's active concealment of the Suspension Defect, any and all applicable statutes of limitations otherwise applicable to the allegations herein have been tolled.

VIII CLASS ALLEGATIONS

54. Plaintiff brings this action on their own behalf, and on behalf of a nationwide class pursuant to Federal Rules of Civil Procedure Rules 23(a), 23(b)(2), and/or 23(b)(3).

Nationwide Class:

All persons or entities in the United States who are current or former owners and/or lessees of a Class Vehicle.

55. In addition to the Nationwide Class, and pursuant to Federal Rules of Civil Procedure, Rule 23(c)(5), Plaintiff seek to represent the following classes of consumers:

California Class:

All persons or entities in the state of California who are current or former owners and/or lessees of a Class Vehicle.

56. Together, the Nationwide Class and the individual state classes shall be collectively referred to herein as the “Class.” Excluded from the Class are Tesla, its affiliates, employees, officers and directors, persons or entities that purchased the Class Vehicles for resale, and the Judge(s) assigned to this case. Plaintiff reserves the right to modify, change, or expand the Class definitions based on discovery and further investigation.

57. **Numerosity:** Upon information and belief, the Class is so numerous that joinder of all Class Members is impracticable. While the exact number and identities of individual members of the Class are unknown at this time, such information being in the Tesla's sole possession and obtainable by

1 Plaintiff only through the discovery process, Plaintiff believes, and on that basis allege, that hundreds of
 2 thousands of Class Vehicles have been sold and leased in states that are the subject of the Class.

3 **58. Existence and Predominance of Common Questions of Fact and Law:** Common
 4 questions of law and fact exist as to all members of the Class. These questions predominate over the
 5 questions affecting individual Class members. These common legal and factual questions include, but
 6 are not limited to, whether:

- 7 a) The Class Vehicles were sold with the Suspension Defect;
- 8 b) Tesla knew about the Suspension Defect but failed to disclose it and its
 consequences to Tesla customers;
- 9 c) Tesla misrepresented the safety of the Class Vehicles based on its
 knowledge of the Defect;
- 10 d) A reasonable consumer would consider the Suspension Defect or its
 consequences to be material;
- 11 e) Tesla should be required to disclose the Defect's existence and its
 consequences; and
- 12 f) Tesla's conduct violates the California Legal Remedies Act, California
 Unfair Competition Law, and the other statutes asserted herein.

13 **59. Typicality:** All of Plaintiff's claims are typical of the claims of the Class because
 14 Plaintiff purchased their vehicles with the same suspension defect and defective vehicle design and/or
 15 suspension component design as other Class members. Furthermore, Plaintiff and all members of the
 16 Class sustained monetary and economic injuries including, but not limited to, ascertainable losses
 17 arising out of Tesla's wrongful conduct. Plaintiff advances the same claims and legal theories on behalf
 18 of himself and all absent Class members.

19 **60. Adequacy:** Plaintiff adequately represents the Class because his interests do not conflict
 20 with the interests of the Class he seeks to represent, he has retained counsel who are competent and
 21 highly experienced in complex class-action litigation, and Plaintiff intends to prosecute this action
 22 vigorously. Plaintiff and his counsel are well-suited to fairly and adequately protect the interests of the
 23 Class.

61. **Superiority:** A class action is superior to all other available means of fairly and efficiently adjudicating the claims brought by Plaintiff and the Class. The injury suffered by each individual Class member is relatively small in comparison to the burden and expense of individual prosecution of the complex and extensive litigation Tesla's conduct would otherwise necessitate. It would be virtually impossible for Class Members on an individual basis to effectively redress the wrongs done to them. Even if Class Members could afford such individual litigation, the courts cannot. Individualized litigation presents a potential for inconsistent or contradictory judgments. Individualized litigation increases the delay and expense to all parties and to the court system, particularly where the subject matter of the case may be technically complex. By contrast, the class action device presents far fewer management difficulties, and provides the benefits of single adjudication, an economy of scale, and comprehensive supervision by a single court. Upon information and belief, individual Class Members can be readily identified and notified based on, *inter alia*, Tesla's vehicle identification numbers, warranty claims, registration records, and database of complaints.

62. Tesla has acted, and refused to act, on grounds generally applicable to the Class, thereby making appropriate final equitable relief with respect to the Class as a whole.

IX CAUSES OF ACTION

A. Claims Brought on Behalf of the Nationwide Class

COUNT I

VIOLATIONS OF THE MAGNUSON-MOSS WARRANTY ACT

(15 U.S.C. § 2301, *et seq.*)

(On behalf of the Nationwide Class, or alternatively, the California Class)

63. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph as though fully set forth at length herein.

64. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

65. Plaintiff and the Class members are “consumers” within the meaning of the Magnuson-Moss Warranty Act, 15 U.S.C. § 2301(3).

66. Tesla is a supplier and warrantor within the meaning of 15 U.S.C. §§ 2301(4)-(5).

1 67. The Class Vehicles, including Plaintiff's vehicles, are "consumer products" within the
 2 meaning of 15 U.S.C. § 2301(1).

3 68. Tesla's 4 year/50,000-mile New Vehicle Limited Warranty is a "written warranty" within
 4 the meaning of 15 U.S.C. § 2301(6).

5 69. Tesla's 2 year/100,00-mile Used Vehicle Limited Warranty is a "written warranty"
 6 within the meaning of 15 U.S.C. § 2301(6).

7 70. Tesla's 1 year/10,000-mile Used Vehicle Limited Warranty is a "written warranty"
 8 within the meaning of 15 U.S.C. § 2301 (6).

9 71. Tesla breached its express warranties by:

- 10 a) Providing the Class Vehicles present an unreasonable risk of and thus not
 fit for their ordinary purpose of providing safe and reliable transportation.
- 11 b) By refusing and/or failing to repair or replace the Class Vehicles'
 suspension components that were caused by materials and/or design
 defects, described and referred to herein as the "Suspension Defect."
- 12 c) Refusing and/or failing to honor the express warranties by repairing or
 replacing, free of charge, the consequential damage resulting from the
 Class Vehicles that have experienced the Suspension Defect

13 72. Plaintiff and the other Class members relied on the existence and length of the express
 14 warranties in deciding whether to purchase or lease the Class Vehicles.

15 73. Tesla's breach of express warranties has deprived Plaintiff and the other Class Members
 16 of the benefit of their bargain.

17 74. The amount in controversy of Plaintiff's individual claims meets or exceeds the sum or
 18 value of \$25.00. In addition, the amount in controversy meets or exceeds the sum or value of \$50,000
 19 (exclusive of interests and costs) computed on the basis of all claims to be determined in this suit.

20 75. Tesla has been given a reasonable opportunity to cure its breach of Plaintiff's written
 21 warranty. Alternatively, Plaintiff and the other Class members are not required to afford Tesla a
 22 reasonable opportunity to cure its breach because to do so would be futile. Tesla was also on notice of
 23 the alleged defect from the complaints and service requests it received from Plaintiff and Class

members, as well as from Tesla's own warranty claims, customer complaint data, and NHTSA complaints.

76. As a direct and proximate cause of Tesla's breach of the written warranties, Plaintiff and the other Class members sustained damages and other losses in an amount to be determined at trial. Tesla's conduct damaged Plaintiff and the other Class members, who are entitled to recover actual damages, consequential damages, specific performance, diminution in value, costs, including statutory attorney fees and/or other relief as deemed appropriate.

B. Claims Brought on Behalf of the California Class

COUNT II

VIOLATIONS OF THE CONSUMER LEGAL REMEDIES ACT (“CLRA”)

(Cal. Civ. Code § 1750, *et seq.*)

(On Behalf of the Nationwide Class or, Alternatively, the California Class)

77. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully set forth at length herein.

78. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

79. Tesla is a “person” as that term is defined in California Civil Code § 1761(c).

80. Plaintiff and the Class members are “consumers” as that term is defined in California Civil Code § 1761(d).

81. Tesla engaged in unfair and deceptive acts in violation of the CLRA by the practices described above, and by knowingly and intentionally concealing from Plaintiff and Class members that the Class Vehicles suffer from a defect(s) (and the costs, risks, and diminished value of the vehicles as a result of this problem). These acts and practices violate, at a minimum, the following sections of the CLRA:

- Representing that goods or services have sponsorships, characteristics, uses, benefits, or quantities which they do not have, or that a person has a sponsorship, approval, status, affiliation, or connection which he or she does not have;

- 1 • Representing that goods or services are of a particular standard, quality, or
2 grade, or that goods are of a particular style or model, if they are of
3 another; and
- 4 • Advertising goods and services with the intent not to sell them as
5 advertised.

6 82. Tesla's unfair or deceptive acts or practices occurred repeatedly in its trade or business,
7 were capable of deceiving a substantial portion of the purchasing public and imposed a serious safety
8 risk on the public.

9 83. Tesla knew that the Class Vehicles were defectively designed or manufactured, would
10 fail without warning, and were not suitable for their intended use of providing safe and reliable
11 transportation. Tesla nevertheless failed to warn Plaintiff and the Class members about these inherent
12 dangers of the Suspension Defect, despite having a duty to do so.

13 84. Tesla had the duty to Plaintiff and the Class Members to disclose the Suspension Defect
14 and the defective nature of the Class Vehicles because:

- 15 a) Tesla was in a superior position to know the true state of facts about the
16 Suspension Defect and associated repair costs in the Class Vehicles;
- 17 b) Plaintiff and the Class Members could not reasonably have been expected to learn
18 or discover that the Class Vehicles had dangerous defects until the defects became
19 manifest;
- 20 c) Tesla knew that Plaintiff and the Class Members could not reasonably have been
21 expected to learn about or discover the Suspension Defect and its associated
22 repair costs; and
- 23 d) Tesla actively concealed the Suspension Defect, its causes, and resulting effects
24 through deceptive marketing campaigns designed to hide the life-threatening
25 problems from Plaintiff; and/or
- 26 e) Tesla made incomplete representations about the safety and reliability of the Class
27 Vehicles generally, while purposefully withholding material facts from Plaintiff
28 that contradicted these representations.

85. In failing to disclose the Suspension Defect and its associated safety risks and repair costs, Tesla has knowingly and intentionally concealed material facts and breached its duty to disclose.

86. The facts Tesla concealed or did not disclose to Plaintiff and the Class Members are material because a reasonable consumer would have considered them to be important in deciding whether to purchase the Class Vehicles or pay a lesser price. Had Plaintiff and the Class known the Class Vehicles were defective, they would not have purchased the Class Vehicles or would have paid less for them.

87. Plaintiff provided Tesla with notice of its violations of the CLRA pursuant to California Civil Code § 1782(a) on November 20, 2020.

88. Tesla's fraudulent and deceptive business practices proximately caused injuries to Plaintiff and the other Class members.

89. Therefore, Plaintiff and the other Class Members seek relief only equitable relief under the CLRA, at this time..

COUNT III

VIOLATIONS OF THE CALIFORNIA UNFAIR COMPETITION LAW

(Cal. Bus. & Prof. Code § 17200)

(On Behalf of the Nationwide Class or, Alternatively, the California Class)

90. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph as though fully set forth at length herein.

91. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

92. The California Unfair Competition Law (“UCL”) prohibits acts of “unfair competition,” including any “unlawful, unfair or fraudulent business act or practice” and “unfair, deceptive, untrue or misleading advertising.” Cal. Bus. & Prof. Code § 17200.

93. Tesla has engaged in unfair competition and unfair, unlawful, or fraudulent business practices by the conduct, statements, and omissions described above, and by knowingly and intentionally concealing from Plaintiff and other Class Members that the Class Vehicles suffer from the Suspension Defect (and the costs, safety risks, and diminished value of the vehicles as a result of these

1 problems). Tesla should have disclosed this information because it was in a superior position to know
 2 the true facts related to the Suspension Defect, and Plaintiff and Class Members could not have been
 3 reasonably expected to learn about or discover these true facts.

4 94. The Suspension Defect constitutes a safety issue triggering Tesla's duty to disclose.

5 95. By its acts and practices, Tesla has deceived Plaintiff and is likely to have deceived the
 6 public. In failing to disclose the Suspension Defect and suppressing other material facts from Plaintiff
 7 and other Class members, Tesla breached its duty to disclose these facts, violated the UCL, and caused
 8 injuries to Plaintiff and the Class members. Tesla's omissions and acts of concealment pertained to
 9 information material to Plaintiff and other Class members, as it would have been to all reasonable
 10 consumers.

11 96. The injuries Plaintiff and the Class Members suffered greatly outweigh any potential
 12 countervailing benefit to consumers or to competition, and they are not injuries that Plaintiff and the
 13 Class Members could or should have reasonably avoided.

14 97. Tesla's acts and practices are unlawful because they violate California Civil Code
 15 §§ 1668, 1709, 1710, and 1750 *et seq.*, and California Commercial Code § 2313.

16 98. Plaintiff seeks to enjoin Tesla from further unlawful, unfair, and/or fraudulent acts or
 17 practices, to obtain restitutionary disgorgement of all monies and revenues Tesla has generated as a
 18 result of such practices, and all other relief allowed under California Business & Professions Code
 19 § 17200.

20 99. Plaintiff and the Class members are entitled to seek equitable relief because monetary
 21 damages are an inadequate remedy. Indeed, as described herein, the Suspension Defect poses a threat to
 22 the health and safety of drivers of the Class Vehicles and Tesla has failed to notify its customers of these
 23 dangers. On information and belief, the Suspension Defect is latent in thousands of Class Vehicles. As
 24 such, monetary damages are insufficient to remedy the health and safety risks that the Suspension Defect
 25 poses to drivers of the Class vehicles and the general public.

COUNT IV

VIOLATION OF CALIFORNIA FALSE ADVERTISING LAW

(Cal. Bus. & Prof. Code § 17500, *et seq.*)

(On Behalf of the Nationwide Class or, Alternatively, the California Class)

5 100. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph
6 as though fully set forth at length herein.

7 101. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the
8 Nationwide Class and the California Class.

9 102. California Business & Professions Code § 17500 states: "It is unlawful for any . . .
10 corporation . . . with intent directly or indirectly to dispose of real or personal property . . . to induce the
11 public to enter into any obligation relating thereto, to make or disseminate or cause to be made or
12 disseminated . . . from this state before the public in any state, in any newspaper or other publication, or
13 any advertising device, . . . or in any other manner or means whatever, including over the Internet, any
14 statement . . . which is untrue or misleading, and which is known, or which by the exercise of reasonable
15 care should be known, to be untrue or misleading.

16 103. Tesla caused to be made or disseminated through California and the United States,
17 through advertising, marketing and other publications, statements that were untrue or misleading, and
18 which were known, or which by the exercise of reasonable care Tesla should have known to be untrue
19 and misleading to consumers, including Plaintiff and other Class members.

20 104. Tesla has violated section 17500 because its misrepresentations and omissions regarding
21 the safety, reliability, and functionality of the Class Vehicles were material and likely to deceive a
22 reasonable consumer.

23 105. Plaintiff and the other Class Members have suffered injuries in fact, including the loss of
24 money or property, resulting from Tesla's unfair, unlawful, and/or deceptive practices. In purchasing or
25 leasing their Class Vehicles, Plaintiff and the other Class Members relied on Tesla's misrepresentations
26 and/or omissions with respect to the Class Vehicles' safety and reliability. Tesla's representations were
27 untrue because it distributed the Class Vehicles with the Defect. Had Plaintiff and the other Class
28 Members known this, they would not have purchased or leased the Class Vehicles or would not have

paid as much for them. Accordingly, Plaintiff and the other Class Members did not receive the benefit of their bargain.

106. All of the wrongful conduct alleged herein occurred, and continues to occur, in the conduct of Tesla's business. Tesla's wrongful conduct is part of a pattern or generalized course of conduct that is still perpetuated and repeated, both in the state of California and nationwide.

107. Plaintiff, individually and on behalf of the other Class Members, request that the Court enter such orders or judgments as may be necessary to enjoin Tesla from continuing its unfair, unlawful, and/or deceptive practices, and restore to Plaintiff and the other Class Members any money Tesla acquired by unfair competition, including restitution and/or restitutionary disgorgement, and for such other relief set forth below.

COUNT V

BREACH OF IMPLIED WARRANTY

(Cal. Com. Code § 231)

(On Behalf of the Nationwide Class or, Alternatively, the California Class)

108. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph as though fully set forth at length herein.

109. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

110. Tesla was at all relevant times the manufacturer, distributor, warrantor, and/or seller of the Model S and Model X. Tesla knew or had reason to know of the specific use for which the Model S and Model X vehicles were purchased.

111. Tesla provided Plaintiff and the other Class Members with an implied warranty that the Class Vehicles, and any parts thereof, are merchantable and fit for the ordinary purposes for which they were sold. However, these vehicles are not fit for their ordinary purpose of providing reasonably reliable and safe transportation at the time of sale or thereafter because the Suspension Defect can manifest and result in a sudden and unexpected loss of steering control.

112. Therefore, the Class Vehicles are not fit for their particular purpose of providing safe and reliable transportation.

113. Tesla impliedly warranted that the Class Vehicles were of merchantable quality and fit for such use. This implied warranty included, among other things: (i) a warranty that the vehicles Tesla manufactured, supplied, distributed, and/or sold were safe and reliable for providing transportation, and would not experience premature and catastrophic failure; and (ii) a warranty that the Class Vehicles would be fit for their intended use while being operated.

114. Contrary to the applicable implied warranties, the Class Vehicles at the time of sale and thereafter were not fit for their ordinary and intended purpose of providing Plaintiff and the other Class Members with reliable, durable, and safe transportation. Instead, the Class Vehicles suffer from the Suspension Defect.

115. Tesla's actions, as complained of herein, breached the implied warranty that the Class Vehicles were of merchantable quality and fit for such use.

116. After Plaintiff received the injuries complained of herein, notice was given by Plaintiff to Defendant, by direct communication with Tesla as well as by the filing of this lawsuit in the time and in the manner and in the form prescribed by law, of the breach of said implied warranty.

117. As a legal and proximate result of the breach of said implied warranty, Plaintiff sustained the damages herein set forth.

118. Plaintiff and Class Members are, therefore, entitled to damages in an amount to be proven at the time of trial.

COUNT VI

BREACH OF EXPRESS WARRANTY

(Cal. Com. Code § 2313)

(On Behalf of the Nationwide Class or, Alternatively, on behalf of the California Class)

119. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph as though fully set forth at length herein.

120. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

1 121. Tesla provided all purchasers and lessees of the Class Vehicles with the express
 2 warranties described herein, which became part of the basis of the parties' bargain. Accordingly,
 3 Tesla's warranties are express warranties under state law.

4 122. In the course of selling its new vehicles, Tesla expressly warranted in writing that its
 5 vehicles were covered by a New Vehicle Limited Warranty (or "Basic Vehicle Limited Warranty") that
 6 provided: "the Basic Vehicle Limited Warranty covers the repair or replacement necessary to correct
 7 defects in the materials or workmanship of any parts manufactured or supplied by Tesla that occur under
 8 normal use for a period of 4 years or 50,000 miles (80,000 km), whichever comes first."

9 123. In the course of selling its vehicles, Tesla expressly warranted in writing that its *used*
 10 *vehicles with less than 50,000 miles* on their odometers were covered by the Used Vehicle Limited
 11 Warranty that covers the repair or replacement necessary to correct defect in the materials or
 12 workmanship of any parts manufactured or supplied by Tesla that occur under normal use for a period of
 13 4 years or 50,000 miles, whichever came first.

14 124. In the course of selling its used vehicles, Tesla expressly warranted in writing that its
 15 *used vehicles with more than 50,000 miles* on their odometers were covered by the Used Vehicle
 16 Limited Warranty that covers the repair or replacement necessary to correct defect in the materials or
 17 workmanship of any parts manufactured or supplied by Tesla that occur under normal use for a period of
 18 2 year or 100,000-miles, whichever came first.

19 125. On information and belief, in the course of selling its used vehicles, Tesla expressly
 20 warranted that *all used vehicles sold on or after October 15, 2020*, were covered by a Used Vehicle
 21 Limited Warranty that covers the repair or replacement necessary to correct defects in the materials or
 22 workmanship of any parts manufactured or supplied by Tesla that occur under normal use for a period of
 23 1 year or 10,000 miles (whichever comes first), starting from (1) the expiration date and mileage of the
 24 original 4 year/50,000 mile Basic Vehicle Limited Warranty (if any), or (2) if the original 4 year/50,000
 25 mile Basic Vehicle Limited Warranty has already expired or is no longer in effect, the date and mileage
 26 on the vehicle's odometer at the time of Tesla's delivery of the used vehicle.

27 126. Tesla distributed the defective parts causing the Suspension Defect in the Class Vehicles,
 28 and said parts are covered by Tesla's warranties granted to all Class Vehicle purchasers and lessors.

1 127. Tesla breached these warranties by selling and leasing Class Vehicles with the
 2 Suspension Defect, requiring repair or replacement within the applicable warranty periods, and refusing
 3 to honor the warranties by providing free repairs or replacements during the applicable warranty periods.

4 128. Plaintiff notified Tesla of its breach within a reasonable time, and/or were not required to
 5 do so because affording Tesla a reasonable opportunity to cure its breaches would have been futile.
 6 Tesla also knew about the Defect but chose instead to conceal it to avoid complying with its warranty
 7 obligations.

8 129. As a direct and proximate cause of Tesla's breach, Plaintiff and the other Class Members
 9 bought or leased Class Vehicles they otherwise would not have, overpaid for the Class Vehicles, did not
 10 receive the benefit of their bargain, and their Class Vehicles suffered a diminution in value. Plaintiff
 11 and the Class Members have incurred and will continue to incur costs related to the Suspension Defect's
 12 diagnosis and repair.

13 130. Any attempt to disclaim or limit these express warranties vis-à-vis consumers is
 14 unconscionable and unenforceable under the circumstances here. Specifically, Tesla's warranty
 15 limitations are unenforceable because it knowingly sold a defective product without giving notice of the
 16 Suspension Defect to Plaintiff or the Class.

17 131. The time limits contained in Tesla's warranty period were also unconscionable and
 18 inadequate to protect Plaintiff and Class Members. Among other things, Plaintiff and Class Members
 19 had no meaningful choice in determining these time limitations, the terms of which unreasonably
 20 favored Tesla. A gross disparity in bargaining power existed between Tesla and the Class Members
 21 because Tesla knew or should have known that the Class Vehicles were defective at the time of sale and
 22 would fail well before their useful lives.

23 132. Plaintiff and the Class Members have complied with all obligations under the warranty,
 24 or otherwise have been excused from performance of said obligations as a result of Tesla's conduct.

COUNT VII

BREACH OF CONTRACT/COMMON LAW WARRANTY (Under California Law)

(On Behalf of the Nationwide Class or, Alternatively, the California Class)

133. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph as though fully set forth at length herein.

134. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

9 135. Tesla was at all relevant times the manufacturer, distributor, warrantor, and/or seller of
10 the Class Vehicles. Tesla knew or had reason to know of the specific use for which Plaintiff and the
11 Class purchased the Class Vehicles.

12 136. Tesla provided Plaintiff and the Class Members with an implied warranty that the Class
13 Vehicles and any parts thereof are merchantable and fit for the ordinary purposes for which they were
14 sold. However, the Class Vehicles are not fit for their ordinary purpose of providing reasonably reliable
15 and safe transportation at the time of sale or thereafter because, *inter alia*, the Class Vehicles suffered
16 from a Suspension Defect at the time of sale. Therefore, the Class Vehicles are not fit for their particular
17 purpose of providing safe and reliable transportation.

18 137. Tesla impliedly warranted that the Class Vehicles were of merchantable quality and fit
19 for such use. This implied warranty included, among other things: (i) a warranty that the Class Vehicles
20 were manufactured, supplied, distributed, and/or sold by Tesla were safe and reliable for the purpose for
21 which they were installed in the vehicles; and (ii) a warranty that the Class Vehicles would be fit for
22 their intended use while being operated.

23 138. Contrary to the applicable implied warranties, the Class Vehicles at the time of sale and
24 thereafter were not fit for their ordinary and intended purpose of providing Plaintiff and the other Class
25 Members with reliable, durable, and safe transportation. Instead, the Class Vehicles suffer from the
26 Suspension Defect.

139. Tesla's actions, as complained of herein, breached the implied warranty that the Class
Vehicles were of merchantable quality and fit for such use.

COUNT VIII

COMMON LAW FRAUDULENT CONCEALMENT

(Under California Law)

(On Behalf of the Nationwide Class or Alternatively, the California Class)

5 140. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph
6 as though fully set forth at length herein.

7 141. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the
8 Nationwide Class and the California Class.

9 142. Tesla made material omissions concerning a presently existing or past fact. For example,
10 Tesla did not fully and truthfully disclose to their customers the true nature of the inherent defect of the
11 Class Vehicles, which was not readily discoverable until years later. As a result, Plaintiff and the other
12 Class Members were fraudulently induced to lease and/or purchase the Class Vehicles with the said
13 defect and all of the resultant problems.

14 143. Tesla made these representations with knowledge of their falsity, and with the intent that
15 Plaintiff and the Class Members rely on them.

16 144. Plaintiff and the Class Members reasonably relied on these omissions and suffered
17 damages as a result.

X PRAYER FOR RELIEF

19 WHEREFORE, Plaintiff, individually and on behalf of all members of the Class similarly
20 situated, respectfully request that this Court:

- A. determine that the claims alleged herein may be maintained as a class action under Rule 23 of the Federal Rules of Civil Procedure and issue an order certifying one or more Classes as defined above;
 - B. appoint Plaintiff as the representatives of the Class(es) and their counsel as Class counsel;
 - C. award all actual, general, special, incidental, statutory, punitive, and consequential damages and restitution to which Plaintiff and the Class Members are entitled, except that as to Plaintiff's cause of action for violation of the Consumer Legal Remedies Act, Plaintiff seeks only equitable relief at this time;

- D. award pre-judgment and post-judgment interest on such monetary relief;
 - E. grant appropriate injunctive and/or declaratory relief and public injunctive relief, including, without limitation, an order that requires Tesla to repair, recall, and/or replace the defective suspension components of the Class Vehicles and to extend the applicable warranties to a reasonable period of time, or, at a minimum, to provide Plaintiff and Class Members with appropriate curative notice regarding the existence of the Suspension Defect;
 - F. award reasonable attorneys' fees and costs; and
 - G. grant such further relief that this Court deems appropriate.

Dated: November 20, 2020

Respectfully submitted,

MCCUNE WRIGHT AREVALO, LLP

By: /s/ David C. Wright

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Counsel for Plaintiff and the Putative Class

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues so triable.

Dated: November 20, 2020

Respectfully submitted,

MCCUNE WRIGHT AREVALO, LLP

By: /s/ David C. Wright

David C. Wright

Counsel for Plaintiff and the Putative Class